

# Public Document Pack



## PLANNING COMMITTEE

Thursday, 16th December, 2010 at 7.30 pm  
Venue: Conference Room  
The Civic Centre, Silver Street,  
Enfield, Middlesex, EN1 3XA

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## MEMBERS

Councillors : Andreas Constantinides (Chairman), Toby Simon (Vice-Chairman), Kate Anolue, Ali Bakir, Yusuf Cicek, Don Delman, Ahmet Hasan, Ertan Hurer, Nneka Keazor, Dino Lemonides, Paul McCannah, Terence Neville OBE JP, Anne-Marie Pearce, Martin Prescott and George Savva MBE

**N.B. Any member of the public interested in attending the meeting should ensure that they arrive promptly at 7.15pm.**

**Involved parties may request to make a deputation to the Committee by contacting the committee administrator before 12:00pm on 15/12/10.**

## AGENDA – PART 1

1. **WELCOME AND LEGAL STATEMENT**
2. **APOLOGIES FOR ABSENCE**
3. **DECLARATION OF INTERESTS** (Pages 1 - 2)

Members of the Planning Committee are invited to identify any personal or prejudicial interests relevant to items on the agenda. Please refer to the guidance note attached to the agenda.

4. **MINUTES OF PLANNING COMMITTEE 23 NOVEMBER 2010** (Pages 3 - 14)

To receive the minutes of the Planning Committee meeting held on Tuesday 23 November 2010.

**5. REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 150) (Pages 15 - 16)**

To receive the covering report of the Assistant Director, Planning and Environmental Protection.

5.1 Applications dealt with under delegated powers.  
(A copy is available in the Members' Library.)

**6. LBE/10/0032 - CAPEL MANOR PRIMARY SCHOOL, BULLSMOOR LANE, ENFIELD, EN1 4RL (Pages 17 - 38)**

RECOMMENDATION: Deemed Consent – Notification Period Expired  
WARD: Chase

**7. LBE/10/0034 - 192, SOUTHBURY ROAD, ENFIELD, EN1 3SD (Pages 39 - 44)**

RECOMMENDATION: Approval subject to conditions  
WARD: Southbury

**8. TP/10/0473 - 1, CRESCENT ROAD AND 33, WAVERLEY ROAD, ENFIELD, EN2 7BN (Pages 45 – 58)**

RECOMMENDATION: Approval subject to S106 completion  
WARD: Grange

**9. TP/10/0491 - 28 AND 28A, SLADES HILL, ENFIELD, EN2 7EE (Pages 59 - 78)**

RECOMMENDATION: Approval with conditions subject to GOL  
WARD: Highlands

**10. TP/10/1128 - 73, TRENT GARDENS, LONDON, N14 4QB (Pages 79 - 98)**

RECOMMENDATION: Approval subject to conditions  
WARD: Cockfosters

**11. TP/10/1170 - ENFIELD PLAYING FIELDS ADJACENT TO QUEEN ELIZABETH STADIUM CAR PARK, DONKEY LANE, ENFIELD, EN1 3PL (Pages 99 - 106)**

RECOMMENDATION: Approval subject to conditions  
WARD: Southbury

**12. TP/10/1335 - 10, SAVILLE ROW, ENFIELD, EN3 7LD (Pages 107 - 118)**

RECOMMENDATION: Approval subject to conditions  
WARD: Enfield Highway

13. **TP/10/1336 - 8, UPLANDS WAY, LONDON, N21 1DG** (Pages 119 - 126)

RECOMMENDATION: Approval subject to conditions  
WARD: Grange

14. **TP/96/0971/8 - 8, UPLANDS WAY, LONDON, N21** (Pages 127 - 134)

RECOMMENDATION: Approval subject to conditions  
WARD: Grange

15. **APPEAL INFORMATION** (Pages 135 - 136)

Monthly decisions on Town Planning Application Appeals.

16. **COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION DOCUMENT ON PROPOSALS TO CHANGE PLANNING FEES (REPORT NO. 151)** (Pages 137 - 150)

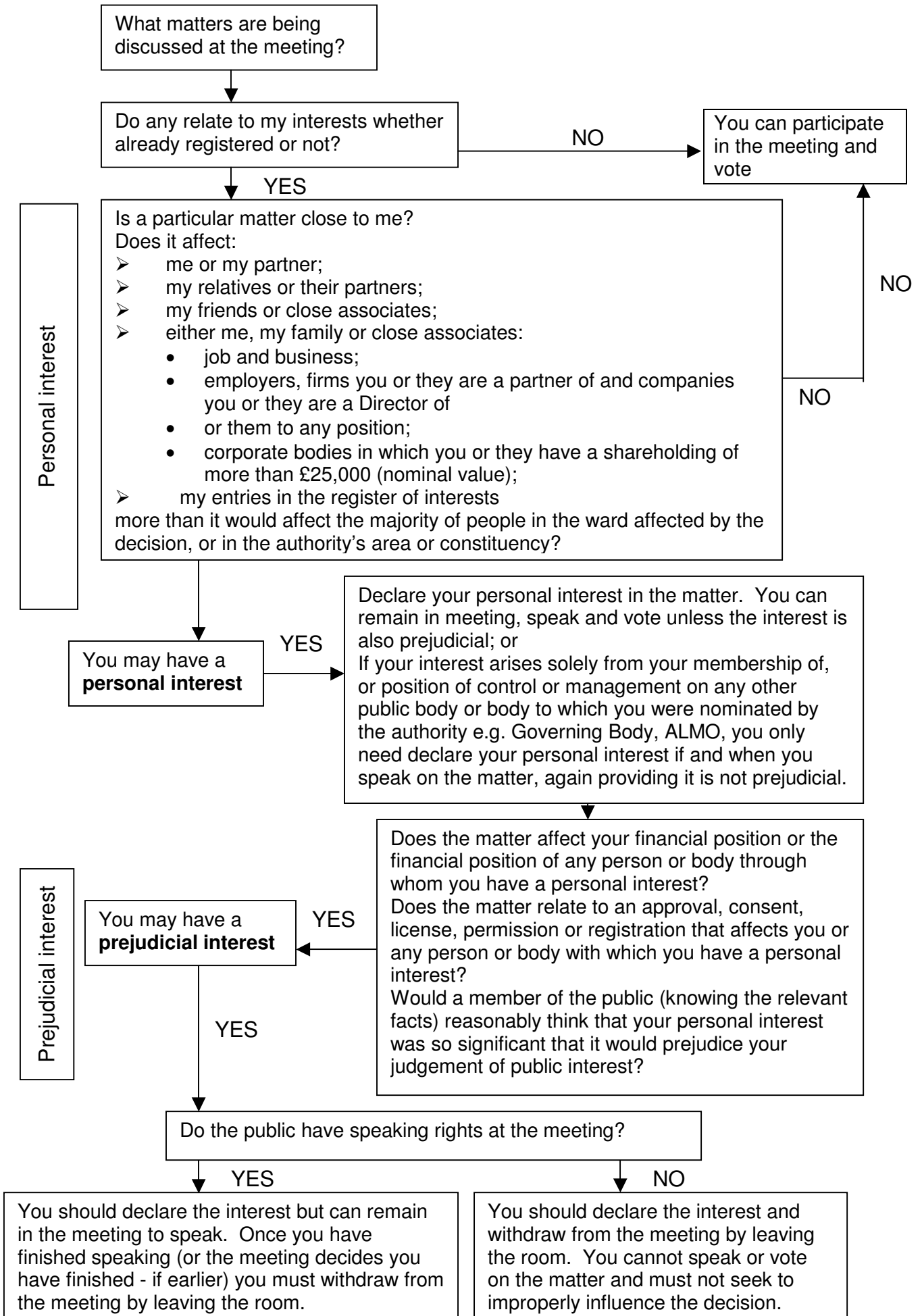
To receive the report of the Assistant Director, Planning and Environmental Protection, seeking Members' agreement to the response to the consultation document to be forwarded to the CLG.

17. **EXCLUSION OF THE PRESS AND PUBLIC**

If necessary, to consider passing a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).  
(There is no part 2 agenda)

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## DECLARING INTERESTS FLOWCHART - QUESTIONS TO ASK YOURSELF



**Note:** If in any doubt about a potential interest, members are asked to seek advice from Democratic Services in advance of the meeting.

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## PLANNING COMMITTEE - 23.11.2010

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE  
HELD ON TUESDAY, 23 NOVEMBER 2010****COUNCILLORS**

**PRESENT** Andreas Constantinides, Toby Simon, Kate Anolue, Dogan Delman, Ahmet Hasan, Ertan Hurer, Nneka Keazor, Dino Lemonides, Paul McCannah, Terence Neville OBE JP, Anne-Marie Pearce, Martin Prescott and George Savva MBE

**ABSENT** Ali Bakir and Yusuf Cicek

**OFFICERS:** Linda Dalton (Legal representative), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Planning Decisions Manager), Steve Jaggard (Traffic & Transportation Officer) and Aled Richards (Head of Development Management) Jane Creer (Secretary) and Kasey Knight (Secretary)

**Also Attending:** Approximately 20 members of the public, applicants, agents and their representatives.  
Dennis Stacey, Chairman of Conservation Advisory Group.  
Councillor Elaine Hayward.

**519**

**WELCOME AND LEGAL STATEMENT**

The Chairman welcomed attendees to the Planning Committee, and introduced Linda Dalton, Legal representative, who read a statement regarding the order and conduct of the meeting.

**520**

**APOLOGIES FOR ABSENCE**

NOTED that apologies for absence were received from Councillors Bakir and Cicek.

**521**

**DECLARATION OF INTERESTS**

NOTED

1. Councillor Prescott declared a personal and prejudicial interest in application TP/10/1019 – Garages adjacent to 2, Fox Lane, and to rear of 2-36, Caversham Avenue, London, N13, as he had spoken against the previous application at the meeting of Planning Committee on 30/04/09. With the agreement of the Chairman, Councillor Prescott would be permitted to address the Committee before leaving the room and taking no part in the discussion or vote.

**PLANNING COMMITTEE - 23.11.2010**

2. Councillor Delman declared a personal and prejudicial interest in application TP/10/1215 – 4 (formerly known as Visteon UK), Morson Road, Enfield, EN3 4NQ, as he had been involved in negotiations with the applicant on another site on behalf of his company.

3. Councillor Simon declared a personal interest in application TP/10/0818 – 36, Walsingham Road, Enfield, EN2 6EY, as he lived nearby.

**522**

**MINUTES OF PLANNING COMMITTEE 26 OCTOBER 2010**

NOTED that a revised set of minutes were distributed for approval, to incorporate further comments received.

**AGREED** the minutes of the meeting held on Tuesday 26 October 2010 as a correct record.

**523**

**REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 122)**

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 122).

**524**

**TP/10/0002 - 15, TURKEY STREET, ENFIELD, EN3 5TT**

NOTED

1. The deputation of Mr Chris Frangoudes, the applicant, including the following points:
  - a. He had bought the property in 1986, and he had received planning permission for an extension similar to that now being sought, but that permission had expired.
  - b. In the past two years, planning applications had been approved at no. 17A, Turkey Street. He considered his proposal to be similar in nature and detail. Officers' objections in this report could have equally applied in that case.
  - c. The proposal would provide a needed improvement to the external appearance.
  - d. The borough needed more housing.
  - e. He disputed officers' references to historical importance in the reasons for refusal. The property was not listed and there was no evidence in support.
  - f. The second reason for refusal was not unique to this application and would also have applied to no. 17.
  - g. With regard to the third reason for refusal, in size this proposal was very similar to the extension previously approved, and similar to the application granted at no. 17, which was also closer to neighbouring property.



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- h. He also disagreed with the fourth reason for refusal and would argue that this development would be in keeping and sympathetic to the street scene and would restore balance.
  - i. He would willingly work with the Council towards meeting the objections.
2. The response of the Planning Decisions Manager, including the following:
- a. Attention was drawn in particular to the objections raised by the Conservation Advisory Group (CAG) and that the site was in the Turkey Street Conservation Area.
  - b. He acknowledged the previous approval, but that was for a first floor extension and the circumstances were very different.
  - c. Officers shared the concerns of CAG and did not consider the development would preserve or enhance the conservation area.
  - d. The compromising of the 45-degree line from the rear window would affect the neighbour's dwelling, and the kitchen would receive little natural light, giving poor living conditions for the occupants.
3. In response to Councillor Savva's queries it was advised that the conservation area had been designated in the 1980s, but the character appraisal which defined the historical significance of the area was developed in the last two to three years and that was the benchmark against which the proposal was now being judged.
4. The advice of the Head of Development Management in response to points raised by Members, including the following points:
- a. The previous approval was to extend upwards on the first storey. This proposal was for an additional two-bed two-storey dwelling on the site.
  - b. The resulting amenity space provision for the new dwelling and for the original dwelling would be sub-standard.
  - c. The development at no. 17 did not set a precedent; each application was dealt with on its own merits, and there had been a material change in circumstances, with regard to the character appraisal.
  - d. The applicant's offer to negotiate with officers was noted, but there were a number of reasons for refusal of the application and it would be very difficult to overcome the issue of amenity space provision on the small site.
5. Member discussion resulted in additional reason for refusal on amenity space being agreed.
6. Members' unanimous support for the officers' recommendation.

**AGREED** that planning permission be refused, for the reasons set out in the report and the additional reason set out below.

Additional reason for refusal:

The proposed dwelling by virtue of its restricted curtilage and overall footprint would provide an inadequate level of private amenity space detrimental to the living conditions of future occupiers and the quality of the resultant dwelling house. This is contrary to Policy CP30 of the adopted Core Strategy and

**PLANNING COMMITTEE - 23.11.2010**

Policy H9 of the saved Unitary Development Plan as well as Policy 3A.6 of the London Plan.

**525**

**TP/10/0818 - 36, WALSINGHAM ROAD, ENFIELD, EN2 6EY**

NOTED

1. Introductory statement by the Head of Development Management confirming the change of recommendation since the previous meeting of the Planning Committee. He explained that the issues involved were subjective and therefore subject to differing opinions. However the department felt that having visited the site the original case officer recommendation could not be sustained and therefore the department took the exceptional action to change the recommendation to that of refusal as it is felt that the proposed loss of garden space and erection of a dwelling did neither enhance nor preserve the setting of the conservation area.

2. A number of objectors had raised additional issues in relation to the outlook from properties, but these were not considered sufficiently strong to be recommended as a reason for refusal.

3. The deputation of Mr Ian Wood, IWPS Planning, the agent, including the following points:

- a. The borough had a shortage of family accommodation; within this application he could provide such a family home which would be sustainable and comply with all necessary standards.
- b. There had been no objections from other statutory consultees; and Planning officers had been satisfied previously, with the application being recommended for approval at the last Planning Committee.
- c. Members were being asked to make difficult decisions and they were not being helped by contradictory reports.
- d. Not all parts of a conservation area contributed the same significance; and any proportionate loss was against the benefit to the borough as a whole.

4. The deputation of Mrs Tracey Fitzgerald, the applicant, including the following points:

- a. She had lived in Enfield all her life, did not want to change the conservation area, and had submitted this application in good faith.
- b. The planning process had not been transparent.
- c. Unlike objectors, she had received no home visit.
- d. The land concerned was no longer garden land.
- e. Any views would be from restricted vantage points and the development would not be within the eyeline of Essex Road properties.
- f. She questioned whether the proposal would genuinely degrade the area.

5. The response of Mr Richard Berndes, neighbouring resident, including the following points:

- a. He thanked officers for arranging the site visit in response to genuine concerns.

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- b. The proposal was in a conservation area, in a lovely location, and the residents' and wider community's response to the plan was that it would damage the area's beauty.
- c. The report rightly highlighted the importance of the gardens and the views, which were an essential part of the area.
- d. There were objections to the size, height and dominance of the building.
- e. Conservation areas were created to preserve unique areas of the borough. This proposal would do nothing to enhance the area.

6. The response of Mr Tom Meadows, neighbouring resident, including the following points:

- a. People living in a conservation area did so with full acceptance that along with the benefits came restrictions beyond those on average home owners.
- b. The proposal would have an impact on residents' parking, many of them did not have driveways but relied on bays and would find it harder to park.
- c. There would be a loss of trees and landscaping currently enjoyed by residents and visitors, exacerbated by the safety stipulations in para 4.1.1, and neighbours would be forced to look at a side aspect of a garage and a naked driveway.
- d. Residents hoped that having seen the plot in context, Members would share their objections.

7. Members' discussion and comments in support of the officers' recommendation, including the following points:

- a. This would be over-development on a cramped plot.
- b. The proposal would not enhance or preserve the conservation area; there would be a loss of important garden space which was a vital aspect of it.
- c. Parking space would be affected, with two existing spaces being lost, and pedestrians' access to the park would be made more difficult and dangerous.
- d. It was observed on the site visit that the street was fully parked and the site was on a dangerous bend and at an access to Town Park.
- e. Concern that Traffic and Transportation department had made no comments or set out a reason for refusal on traffic and parking grounds.

8. The Head of Development Management's recommendation, if Members were minded to refuse planning permission, that officers be given delegated powers to add a second reason for refusal, based on highway matters and loss of car parking.

9. Members' unanimous support for the officers' recommendation.

**AGREED** that planning permission be refused for the reason set out in the report and the additional reason below.

Additional reason for refusal:

The proposed development due to the position and design of the access arrangements, would result in vehicle movements crossing the footway which as a result of poor sight lines, would give rise to conditions prejudicial to the free flow and safety of pedestrians and vehicles using the adjoining highways.

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This would be contrary to Policies (II)GD6 and (II)GD8 of the saved Unitary Development Plan.

**526**

**TP/10/1019 - GARAGES ADJACENT TO 2, FOX LANE, AND TO REAR OF 2-36, CAVERSHAM AVENUE, LONDON, N13**

NOTED

1. Introduction by the Planning Decisions Manager, including the following points:
  - a. He drew attention to the previous application which was refused and the appeal which was dismissed.
  - b. Three key issues were highlighted by the Planning Inspector: (i) insufficient amenity space provision; (ii) impact on the oak tree; and (iii) overlooking to gardens in Caversham Avenue.
  - c. How the applicant sought to address the issues was set out in the report.
  - d. The Planning Inspector had not supported the safety concerns.
  - e. The main difference in the current application was the change in orientation. Slides were shown of the context with Fox Lane and the relationship with the properties in Caversham Avenue.
  
2. Receipt of two further letters of objection, including the following points:
  - a. Too much flexibility had been given by the Planning Inspector.
  - b. Insufficient amenity space.
  - c. The housing would not be high quality.
  - d. The development would produce a feeling of enclosure.
  - e. The potential of overlooking would remain from some first floor windows.
  - f. Safety was still an issue.
  - g. Visibility was compromised by the bridge.
  
3. Receipt of an additional four letters of support, including the following points:
  - a. The development would provide needed family housing.
  - b. Safety and security would be improved if the site was developed.
  - c. The site was an eyesore, attracting anti-social behaviour and vandalism.
  
4. The deputation of Mr William Cook, local resident, including the following:
  - a. He represented residents of Caversham Avenue who were opposed to the development.
  - b. The distance from existing properties was insufficient as the site was too narrow having a width of only 22 metres.
  - c. There would be problems of loss of privacy, overlooking, and loss of sunlight especially in winter.
  - d. There would be overlooking from first floor windows due to the close proximity of houses to the common boundary.
  - e. Reasons for rejection of the first application still applied.
  - f. The site entrance was close to the hump-back bridge and dangerous and he suggested a site visit was made to assess.
  - g. There was a TPO on the site but trees would be lost.

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- h. The wildlife corridor was unique and thriving and should be saved.
- i. The site was a soakaway for the whole Lakes Estate, with the drainage ditch dating from the time the railway was built. Loss of trees and vegetation would also affect drainage in the area. The natural springs needed inspection.

5. The statement of Councillor Elaine Hayward, Winchmore Hill Ward Councillor, including the following points:

- a. She acknowledged there were residents with different points of view on the proposal, and that residents living directly adjacent would like to see a speedy resolution to end their security concerns.
- b. She had been asked to speak against the recommendation by the Fox Lane and District Residents' Association and was representing residents who objected to the application, whose objections were also set out in the report.
- c. The three points raised by the Planning Inspector at the time of the previous appeal still applied.
- d. Overlooking and loss of privacy would result from the development.
- e. The safe future of the oak tree was questionable given the works.
- f. A green space should be left for the community.

6. The statement of Councillor Martin Prescott, Winchmore Hill Ward Councillor, including the following points:

- a. He was on record as having raised objections previously and he also objected to this application on behalf of residents and himself.
- b. He highlighted the reason for refusal in relation to access which was over-ruled by the Planning Inspector and considered that the S106 highway works would not be possible to implement and this reason would be valid for refusal.
- c. An office block directly opposite already had an access to the road which would also be heavily used if the block was converted to flats as was likely.
- d. The hump-back bridge made sight lines very difficult and he recommended a left-out, left-in only rule for the access. To turn across the carriageway at that point was dangerous and arguably sufficient reason for refusal alone.
- e. This was no longer classed as a brownfield site and there was no longer a presumption of approval.
- f. He fully understood residents' concerns, and if Members were minded to grant approval would ask that they make a site visit.

7. Councillor Prescott left the room having made the statement and took no part in the discussion or vote on the application.

8. The response of Mr Luke Emmerton, of DP9, the agent, including the following points:

- a. The suitability of the site for residential development was acknowledged by the Council and the Planning Inspectorate.
- b. The report made clear that officers supported these proposals and that they were policy compliant.
- c. The Planning Inspectorate supported the design, appearance and access arrangements. The proposed Section 106 agreement could be secured to introduce measures on Fox Lane to improve safety at that access.
- d. The developer had worked closely with Council officers to remove overlooking concerns. There would be no windows on flank walls, buildings

**PLANNING COMMITTEE - 23.11.2010**

had been re-orientated, there was greater visual permeability, and the oblique views had been accepted by officers.

e. Amenity space had been improved. There was private amenity space for families. Communal space was now green space not hard landscaping.

f. The site area had been extended, there was more protected area for the first oak tree and the second oak would also be safeguarded.

g. The 33 garages on the site previously generated more traffic movements than this proposal would.

9. Advice of the Traffic and Transportation Officer, including the following:

a. The application must be considered in the current circumstances; potential future use of the office block opposite could not be taken into account.

b. The block opposite did have an access point which would be available to any successive user.

c. Any application made for the block would be considered at that time.

d. Refuse vehicles' access to the site had been considered.

e. A left-in left-out rule, and methods to ensure compliance, was an option which could be investigated.

10. Advice of the Planning Decisions Manager, including the following points:

a. In relation to distances from a common boundary, there were no set standards in relation to a flank wall. Overall, the relationships and separations were considered sufficient to address overlooking and overshadowing.

b. Discussions with the developer had led to amendments of the gable end to a hipped roof design to reduce the bulk and massing.

c. Changing the orientations had in officers' opinion addressed the concerns in relation to overlooking. There would be windows on the first floor but they would be oblique and there would be no undue impact.

d. The arboricultural officer was satisfied that with the additional open area the trees could be safeguarded.

e. The Planning Inspector had stressed the need for flexibility and that the space was reasonable and would provide for family accommodation.

11. Councillor Neville's concerns in relation to the need for quality design in the borough and conservation areas in particular; and in relation to road safety around the access to the development. He also considered the development would be very narrow and cramped.

12. Councillor Simon's comments in relation to the former garages and traffic generation from that use to Fox Lane, which had been satisfactory for numerous years. He also considered that the trees on the site would also have affected light to the existing houses and gardens, and highlighted that the borough had a need for housing.

13. Councillor Anolue's agreement that all issues had been addressed to the satisfaction of Planning officers.

14. Councillor Savva's comment that the entrance to Skinners Court was nearer to the hump back bridge and was heavily used with no safety issues.

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15. The Planning Decisions Manager's advice in response to Councillor McCannah's query, that PP3 was not relevant to this application as the site was not classed as back garden land.

16. Councillor Hurer's ongoing concerns in relation to road safety and the proximity to the hump back bridge.

17. Officers' advice in response to Members' queries, including:

- a. Confirmation that cleansing vehicles would be able to enter and turn.
- b. It had not been possible to access accident reports to bring to the meeting, but that highway safety issues were raised at the appeal and did not carry weight with the Planning Inspector.
- c. Clarification of the width of the access road and confirmation that it was sufficient for vehicles to pass.
- d. Overall separation was still 22 metres and there would now be no direct overlooking from first floor windows.
- e. Amenity space was on balance considered suitable: four gardens did not meet the overall standard, but the Planning Inspector had given a clear direction for flexibility and there was a larger open space to benefit residents.
- f. The site itself was not inside the conservation area, and Condition 3 would cover Details of Materials, which could be used to deal with fenestration.

18. Members voted in support of the officers' recommendation 7 for and 5 against with no abstentions.

**AGREED** that subject to the completion of a Section 106 Agreement contribution regarding a contribution towards education provision and off site highway works planning permission be granted, for the reasons set out in the report, subject to the conditions set out in the report and amendments to Condition 3 and 5.

**527**

**TP/10/1112 - GALA CLUB, BURLEIGH WAY, ENFIELD, EN2 6AE**

NOTED

1. Introduction by the Planning Decisions Manager to clarify the change in circumstances and reduction in scale from the previous agreed application.

2. Confirmation received from the developer that all plant would be located in the basement plant room, with only AOV fans on the roof, which would not be seen from viewpoints, which should address concerns raised by CAG.

3. Members' discussion of the Section 106 agreement that residents would not be permitted to purchase a parking permit for the CPZ, and the Traffic and Transport Officer's advice in respect of protection for existing permit holders and progress towards a car club for the borough.

4. Members voted unanimously in support of the officers' recommendation.

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**AGREED** that planning permission be granted subject to conditions and subject to a Section 106 Agreement in respect of the heads of terms as detailed in the report and as previously agreed.

**528**

**TP/10/1215 - 4 (FORMERLY KNOWN AS VISTEON UK), MORSON ROAD, ENFIELD, EN3 4NQ**

NOTED

1. Councillor Delman left the room and took no part in the discussion or vote on the application.
2. It was understood that the Environment Agency had a solution to the only objection that was outstanding.
3. Receipt of a written representation in support from ex-councillor Bill Price, in his capacity as Meridian Business Park Association Manager.
4. Members voted unanimously in support of the officers' recommendation.

**AGREED** that officers be afforded delegated powers to approve the application subject to conditions, subject to the applicant overcoming the Environment Agency's outstanding objection and the satisfactory completion of a Section 106 Agreement to include the head of terms referred to.

**529**

**TP/10/1294 - 47, LAKENHEATH, LONDON, N14 4RR**

**AGREED** that planning permission be granted subject to conditions, for the reasons set out in the report.

**530**

**APPEAL INFORMATION**

NOTED

1. Members noted the information on town planning appeals received from 12/10/10 to 10/11/10, summarised in tables as requested, but full details of each appeal could be viewed on the departmental website.
2. A correction to the table of Committee decisions which should read 1 appeal against refusal as per officer recommendation; and 3 appeals against refusal against officer recommendation, of which 2 were dismissed.

**531**

**COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION DOCUMENT ON PLANNING AND SCHOOLS (REPORT NO. 123)**



**PLANNING COMMITTEE - 23.11.2010**

NOTED the Head of Development Management's introduction to the consultation document and the recommended response, which was fully supported by Members.

**AGREED** the response to the consultation as set out in the report to be forwarded to Communities and Local Government.

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**MUNICIPAL YEAR 2010/2011 - REPORT NO 150**

**COMMITTEE:**  
 PLANNING COMMITTEE  
 16.12.2010

AGENDA - PART 1	ITEM 5
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SUBJECT -

MISCELLANEOUS MATTERS

**REPORT OF:**  
 Assistant Director, Planning  
 and Environmental Protection

**Contact Officer:**  
 Planning Decisions Manager  
 Andy Higham Tel: 020 8379 3848

**5.1 APPLICATIONS DEALT WITH UNDER DELEGATED POWERS** INF

5.1.1 In accordance with delegated powers, 147 applications were determined between 10/11/2010 and 02/12/2010, of which 115 were granted and 32 refused.

5.1.2 A Schedule of Decisions is available in the Members' Library.

Background Papers

To be found on files indicated in Schedule.

**5.2 PLANNING APPLICATIONS AND APPLICATIONS TO DISPLAY ADVERTISEMENTS** DEC

On the Schedules attached to this report I set out my recommendations in respect of planning applications and applications to display advertisements. I also set out in respect of each application a summary of any representations received and any later observations will be reported verbally at your meeting.

Background Papers

- (1) Section 70 of the Town and Country Planning Act 1990 states that the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 54A of that Act, as inserted by the Planning and Compensation Act 1991, states that where in making any determination under the Planning Acts, regard is to be had to the development, the determination shall be made in accordance with the plan unless the material considerations indicate otherwise. The development plan for the London Borough of Enfield is the Unitary Development Plan (UDP).
- (2) Other background papers are those contained within the file, the reference number of which is given in the heading to each application.

**5.3 APPEAL INFORMATION**

INF

The Schedule attached to the report lists information on town planning application appeals received between 10/11/2010 and 30/11/2010 and also contains information on decisions taken during this period.

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

**Date :** 16<sup>th</sup> December 2010

**Report of**  
Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**  
Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Mrs S.L. Davidson Tel: 020 8379  
3841

**Ward:** Chase

**Application Number :** LBE/10/0032

**Category:** Other Development

**LOCATION:** CAPEL MANOR PRIMARY SCHOOL, BULLSMOOR LANE, ENFIELD,  
EN1 4RL

**PROPOSAL:** Single storey extensions to north, south and west elevations, installation of canopies to south elevation, provision of hard surfaced games area construction of car park to front of site involving widening of existing vehicular access and creation of additional vehicular access.

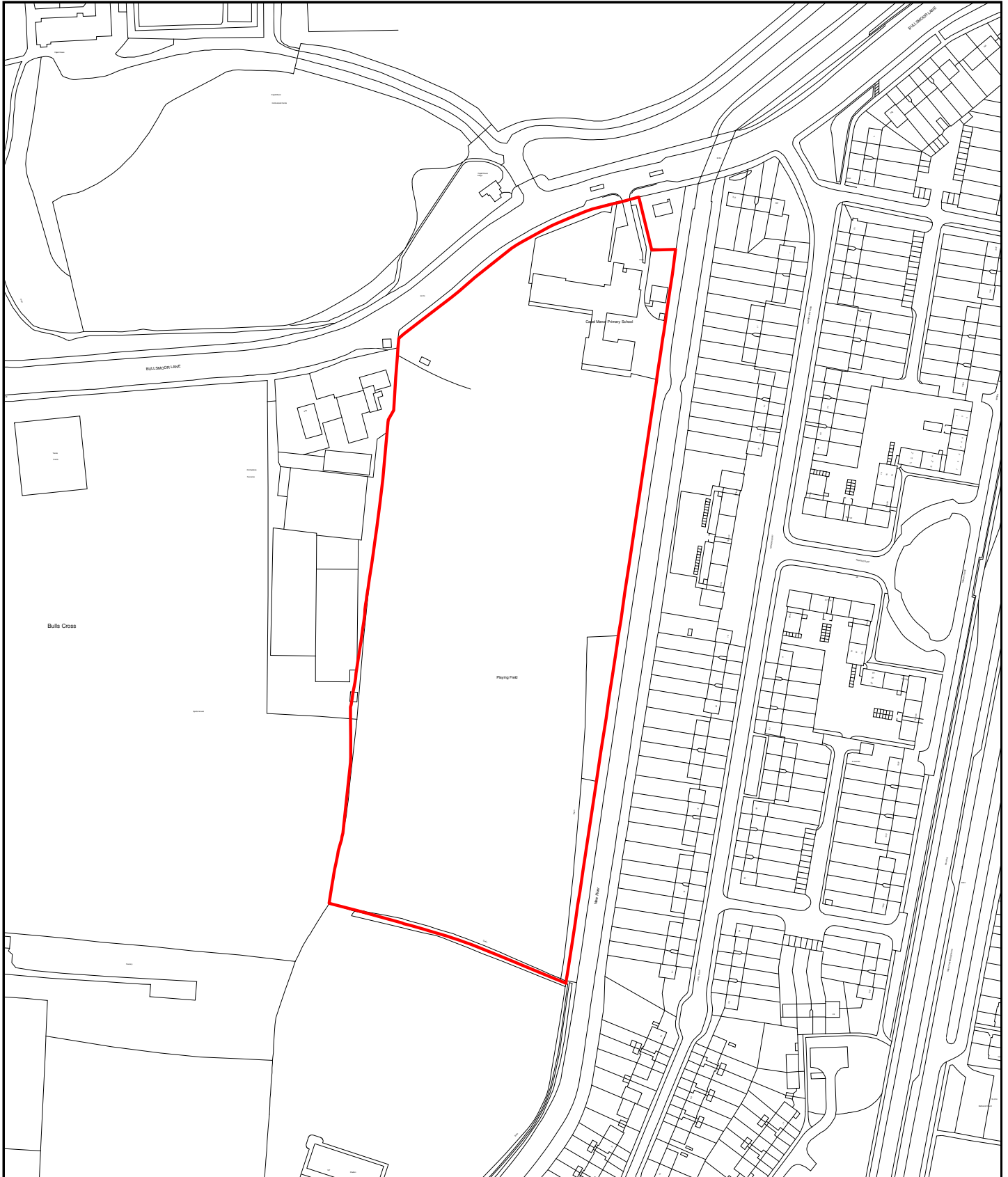
**Applicant Name & Address:**

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**Agent Name & Address:**

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**RECOMMENDATION:** That subject to any Direction from the Government Office for the West Midlands, following Sport England's objection to the development, planning permission be **GRANTED** subject to conditions:



### Development Control



Scale - 1:2500  
Time of plot: 07:57

Date of plot: 03/12/2010

## **1 Site and Surroundings**

- 1.1 Capel Manor Primary School is located on the south side of Bullsmoor Lane, west of the A10. The school sits on a large site, with a grass playing field as well as hard play area. The site is generally flat with an open aspect and a gently slope from west to east.
- 1.2 The main school was built in 1957 and comprises two single storey wings, connected by a double height hall. The school generally has pitched roofs over the classrooms and flat roofs elsewhere. The double storey Hall has a pitched tiled roof. There are a number of discrete structures, including the site manager's house, a green house and a hut building to the east of the site. The main school entrance is off Bullsmoor Lane, for both vehicular and pedestrian access.
- 1.3 The site is located within the Forty Hill Conservation Area and the Green Belt. It contains a number of trees: some isolated trees and some within groups in the open space. None of the trees are the subject of a Tree Preservation Order but are protected by virtue of the Conservation Area.
- 1.4 The site is bounded by Bullsmoor Lane to the north; the New River to the east and beyond the residential properties in Manor Farm Road; a horticultural unit along part of the western boundary and open space for the remainder of the boundary and to the south.

## **2 Proposal**

- 2.1 This application proposes the erection of single storey extensions to the north, south and west elevations of the existing building, installation of canopies to the south elevation, provision of a hard surfaced games area, the construction of a car park to the front of the site involving the widening of the existing vehicular access and the creation of an additional vehicular access. All works are linked to the expansion of the school from 1 to 2 forms of entry.
- 2.2 The new classrooms are to be located to the rear of the existing building, in the form of a curved wing. This would be heavily glazed, but punctuated by projecting boxes, which form the wet areas within the classrooms. The projecting boxes would be clad in solid panels. The link between the classroom extension and the main school is a simple glazed structure with a flat roof.
- 2.3 The front of the existing school is also to be extended to create a new entrance, new studio, new administration offices with ancillary storage and to enlarge the kitchen. The existing school entrance is low key. To make the entrance an obvious destination, the new entrance area and hall have curved walls, echoing the classroom extension. The entrance area has a glazed curtain walling elevation, while the small hall has a brick elevation. The administration and kitchen extensions are simple brick extensions with flat roofs, behind parapets.
- 2.4 New glass canopies incorporating PV panels are proposed to give shading to existing classrooms.

- 2.5 The application proposes the transfer of the existing main playground areas which front onto Bullsmoor Lane, to the rear of the current buildings and the existing playground areas to be replaced by an enlarged staff car park (increased from 9 to 28 spaces). The car park is to be designed as a sustainable urban drainage system to reduce the load on existing adopted drainage. A new access is proposed to facilitate an in/out arrangement.
- 2.6 The school is currently used for some out of hours activity including after school clubs and holiday facilities. The playing fields are not used for community use. In the future the new studio as well as the existing hall will be used for community use. This will be limited after school until 8pm on school days and from 8am to 8pm at the weekends and during holidays. Activities may include after school clubs, local sports teams and social clubs. Children's daytime parties may be considered.
- 2.7 The proposals will require the removal of some trees on site to build the rear extension and to accommodate the new parking proposals. The tree survey confirms the trees proposed for removal are mainly Category C (trees of low quality and value) with one Category B tree (of moderate quality and value) proposed for removal.

### **3 Relevant Planning Decisions**

- 3.1 LBE/10/0016 Planning permission granted July 2010 for the installation of temporary building at rear to provide additional classrooms.

### **4 Consultations**

#### **4.1 Statutory and non-statutory consultees**

##### **4.1.1 Greater London Authority**

The Mayor considers that the application complies with the London Plan but asks that account should be taken of the following comments:

*Urban Design:* There is no major concern on design issues but the possibility of using the future car park entrance, for which an additional opening will be created; during the earlier construction phases should be explored. Furthermore, retaining the existing healthy trees and shrubs and additional tree screening is recommended.

*Access:* The applicant is required to agree to conditions that secure the implementation of the proposed access arrangements.

*Climate Change mitigation and adaption:* The applicant should provide an estimate of the overall carbon dioxide savings, compared to a 2010 Building Regulations compliant development. Green roofs and rainwater harvesting, and the discharge of surface water into the nearby open space using SuDS should be considered.

*Transport:* A number of issues, including increased cycle parking, electric vehicle charging points and improvements to the travel plan must be addressed and conditioned.



The Mayor does not need to be consulted again on this application provided that account is taken of the comments above.

#### 4.1.2 Transport for London

TfL acknowledges that while cycle usage is currently low, the 10 cycle parking spaces proposed to serve 420 pupils and 53 staff is insufficient. TfL has noted that within the 'hands up survey' undertaken to ascertain trip generation, 101 (52%, an increase of 91 pupils from actual trip generation) of the 192 pupils surveyed would prefer to cycle to school. An increase of cycle provision to a minimum of 30 spaces, in combination with a robust travel plan will encourage this aspiration to come to fruition. All cycle spaces must be safe, covered and secure with good lighting and CCTV. TfL recommends that the cycle parking is allocated and separated appropriately between staff and pupils.

A total of 28 car parking spaces, inclusive of 2 disabled spaces are to be provided. TfL recommends that the car parking should be provided on a restraint based approach so as to encourage travel by sustainable modes. A travel plan can assist this. However, taking into account the poor public transport access within the area, the level of parking proposed is considered acceptable.

TfL recommends that on-site car parking should be provided with electric vehicle charging points (EVCPs) in line with emerging best practice and draft replacement London Plan policy, i.e. 20 % of spaces with a further 10% having passive provision.

TfL requests that the developer undertakes a Pedestrian Environment Review System (PERS) audit, focussing on particular routes to public transport access points. The results of the audit along with the recommendations will need to be included within the Transport Assessment. In addition there will be a need to include signage for walking and cyclists to the passenger transport network and to local amenities.

In order to mitigate any adverse impacts of construction traffic on the Strategic Road Network or local road network two documents should be provided in support of the application. A Construction Logistics Plan which identifies efficiency and sustainability measures to be undertaken while the development is being built and a Delivery and Servicing Plan which identifies efficiency and sustainability measures to be undertaken once developments are operational. These should be secured via planning conditions should the application be approved.

TfL does not consider that the additional vehicular trips generated would result in a significant impact on the A10 Great Cambridge Road.

The existing school has very high car trip rates for both staff and pupils. TfL therefore requests that stricter targets should be set to reduce car based trips to/from the expanded school, along with appropriate measures (i.e. car sharing). Currently no staff and only 5.2% of pupils cycle to school. TfL believes that with the use of both hard and soft measures in combination with achievable targets within the travel plan, there will be considerable scope to increase this figure. TfL supports the proposal to review the amount of cycle

parking as part of the travel plan on condition that there is no reduction in the total. They consider the Travel Plan should be secured, enforced, monitored and reviewed and funded through a S106 Agreement.

#### 4.1.3 Sport England

Sport England objects to the proposed development as it proposed to take place directly on playing field without any justification through like for like replacement or the development being purely sport related or ancillary to the use of the sports field and does not accord with any of the exceptions in Sport England's playing fields policy. They advise that should the Council be minded to grant planning permission, the application should be referred to the Government Office in order that they can advise whether they are happy with the Council's resolution or they can call in the application for determination.

#### 4.1.4 London Fire and Emergency Planning Authority

The Authority has confirmed that they are satisfied with the proposals

#### 4.1.5 Traffic and Transportation

The following observations have been received:

- The school currently operates one form entry from reception up to Year 6, with 30 pupils entering each year.
- The proposed extensions would allow the school to have 2 form entry across all years.
- The existing number of pupils is 210. Following the expansion, then after 2016 the school will have 420 pupils i.e. doubling in size.
- There are currently 39 staff, with 22 being full time, and 28 being on site at any one time.
- After expanding, then there will be 53 staff, including 29 part time, and 39 being on site at any one time.
- There are currently 9 spaces for staff.
- Most of the pupils arrive at the school for 8.40, and finish between 3.10 and 3.20.
- The current total number of arrivals by car is 77 single trips and 16 shared car sharing trips. Ninety five pupils walk to the school.
- The TA assumes that the modal split will not change when predicting the future trip generation, and has applied the existing percentage modal split to the number of pupils after the school has expanded to its full capacity of 420. This is a reasonable assumption to make and reflects current evidence on car usage.

It is acknowledged that Capel Manor School has been selected for expansion as part of a Borough wide school expansion scheme and has been selected based on its suitability to accommodate an increase in pupils. However, whilst the school may have sufficient space to expand, there could still be a considerable impact on the neighbouring roads in terms of parking provision and traffic generation. The Transport Assessment (TA) attempts to address the problems resulting from the increase in traffic through firstly accurately predicting the increase in pupils and then proposing highway works to mitigate the impacts, and through using soft measures such as the school travel plan. The predictions of the modal split of pupils are based on the

existing modal split taken from the school travel plan, which was reviewed in May 2010. These figures have been confirmed with the Traffic and Transportation School Travel Planning team as being the most up to date available and are considered acceptable for use in the application. The figures show that the current modal split is:

45% car  
9% car share  
45% walk

The majority of the pupils arrive between 8.45-8.50, and leave between 3.10-3.15. This works out at about 77 car trips in the morning and 70 in the afternoon (allowing for breakfast club and after school activities). For staff, the modal split is as follows:

94% car  
6% walk

This works out at 26 arrivals and 26 departures over the day. Although there is no parking available for pupils' dropping off and collection, there is a staff car park although this only has 9 spaces.

In predicting the increase in trips, the TA applies the same existing modal split to the future pupil and staff increase. As the number of pupils is doubling, this works out at double the number of pupil car trips – which will be 154 (and 32 car shares) The increase in staff trips is also worked out using the same modal split and is applied to the future numbers, resulting in a prediction of 37 staff trips each way for the number of staff on site, which is given as being 39 at any one time. This is compared to the existing 27 trips from having 28 staff on site at any one time. This approach to predicting the increase is considered acceptable, as although the modal split is stated in the School Travel Plan (STP) as reducing by 5% it is unlikely to fall in terms of actual car trips as pupils are likely to be travelling from further away as the school expands to take in more pupils.

As the school will have considerably more car borne trips, it is essential that the STP is kept up to date and well managed for both staff and students. The effect of an additional 77 vehicles will have a significant impact on the safety of the surrounding roads and also the availability of parking, which should be addressed over the course of the schools expansion. The increase in staff alone will contribute another 27 trips, although parking will be provided for staff.

The TA also suggests some mitigation measures to improve access for pedestrians and increase the safety of the surrounding roads, and Traffic & Transportation fully support their inclusion in the TA. The mitigations schemes proposed are:

- Relocate existing traffic island/pedestrian refuge island 6m east to allow southbound vehicles to turn right out of Bull's Cross without crossing on to northbound vehicles
- Dropped crossings with tactile pavings
- Single yellow lines for at least 10m in either direction of the junction and 10m to east of relocated pedestrian refuge (see above).

- Remove no parking bay for the Royal Mail van and replace with waiting restrictions.
- Tighten the radii of the access to the far western end of the school playing field to reduce pedestrian crossing distance and speed of the cars turning into it.
- Introduce a separate egress to Bullsmoor Lane separate from the existing combined access/egress, so that vehicles travel through the site in one direction.
- Introduce tactile paving on the access/egress to Capel Manor College to facilitate pedestrian movements.
- Tighten the radii of Bullsmoor Lane and Manor Farm junction to improve accessibility for pedestrians and make it safer in terms of cars slowing down to turn the corner. Also introduce tactile paving crossings.
- Introduce tactile paving at key points along Manor Farm Road and Manor court.
- A 20mph zone is also going to be implemented around the school (this is separate to the proposed measures in the TA).

The schemes will not result in an increase in available on street parking capacity, and mainly involve improving pedestrian crossing points and safety in the area. Even if these measures were all implemented, it wouldn't help the problems related to the increase in parking demand. The TA does not address the current parking situation with any statistics on parking availability and the predicted availability, and therefore the impacts on the surrounding roads of an extra potential 77 pupil + 37 staff trips cannot be determined from the TA. However, it is a reasonable assumption that increasing the capacity of the school as proposed would lead to an increased demand for on-street parking at the beginning and the end of the day and therefore safety is the main concern. It is accepted that the mitigation measures proposed are a step towards improving the safety of the area on the basis that the number of car trips will increase regardless of how much the STP improves the modal split.

In conclusion, the methodology used in the TA to predict the increase in vehicle trips is acceptable, and doubling the number of pupils is likely to double the number of car trips to the school. The STP over the last few years has reduced the modal split of car trips, but due to increase in numbers and the wider catchment area of the future intake then it is unreasonable to expect this to continue, with staff car trips also likely to increase. Whilst the TA is not able to propose any mitigation measures for the parking demand, other than through reducing demand through a STP, it does seek to address safety concerns that arise as demand for parking around the school increases and the school has committed to implement the measures identified. Over the course of six years the school should be able to prepare for the overall increase in numbers through both the travel plan and through the highway works, and Traffic and Transportation only support the application on the basis that there is a commitment from the school to continue to improve the STP and work with Traffic and Transport to improve the highway safety.

#### 4.1.6 Environmental Protection and Regulation

No objections are raised subject to conditions controlling construction activities on site.

#### 4.1.7 Biodiversity Officer

The Biodiversity Officer raises no objections subject to conditions requiring implementation of the ecological enhancements referred to in the Ecological Assessment.

#### 4.2 Public

- 4.2.1 Consultation letters have been sent to the occupiers of 60 adjoining and nearby properties. The application has also been advertised on site and local press. No letters of objection have been received with one letter of support.

### 5 **Relevant Policy**

#### 5.1 Local Development Framework

- 5.1.1 At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance

Core Policy 8	Education
Core Policy 11	Recreation, leisure, culture and arts
Core Policy 20	Sustainable energy use and energy infrastructure
Core Policy 21	Delivering sustainable water supply, drainage and sewerage infrastructure
Core Policy 24	The road network
Core Policy 25	Pedestrians and cyclists
Core Policy 30	Maintaining and improving the quality of the built and open environment
Core Policy 31	Built and landscape heritage
Core Policy 33	Green Belt and Countryside
Core Policy 34	Parks, playing fields and other open spaces
Core Policy 36	Biodiversity

#### 5.2 Unitary Development Plan

- 5.2.1 After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

:

II)G8	New planting in the Green Belt
(II)G11	Criteria for the design of new development in the Green Belt
(II)C28	Development in conservation areas not to result in inappropriate use of hard or soft landscape that contributes to the character of the conservation area.
(II)C30	New buildings in conservation areas to replicate, reflect or complement the traditional characteristics of the area
(II)C38	Trees
(II)C39	Replacement of trees where lost as a result of development
(II)GD3	Design
(II)GD6	Traffic generation
(II)GD8	Access and servicing

- (II)T13 Access on to public highway
- (II)CS2 Community services design
- (II)CS3 Community services provided in optimum locations

### 5.3 London Plan

- 3A.24 Education facilities
- 3C.1 Integrating transport and development
- 3C.2 Matching development to transport capacity
- 3C.17 Tackling congestion and reducing traffic
- 3C.21 Improving conditions for walking
- 3C.22 Improving conditions for cycling
- 3C.23 Parking strategy
- 3C.25 Freight strategy
- 3D.9 Green Belt
- 3D.14 Biodiversity and nature conservation
- 3D.15 Trees and woodland
- 4A.1 Tackling climate change
- 4A.2- 8 Climate change/ Sustainable design and construction
- 4A.14 Sustainable drainage
- 4B.1 Design principles for a compact city
- 4B.2 Promoting world class architecture and design
- 4B.5 Creating an inclusive environment
- 4B.8 Respect local context and communities
- 4B.12 Heritage conservation

### 55.4 Other Material Considerations

- PPS1 Delivering sustainable development
- PPG2 Green Belts
- PPS5 Planning for the Historic Environment
- PPS9 Biodiversity and geological conservation
- PPG13 Transport
- PPG17 Planning for open space, sport and recreation

Forty Hill Conservation Area Character Appraisal

## 6 **Analysis**

### Green Belt

- 6.1 PPG2 sets out the general presumption against inappropriate development in the Green Belt and that such development should not be approved except in very special circumstances. Inappropriate development is by definition harmful to the Green Belt and it is for the applicant to demonstrate the very special circumstances necessary to outweigh this harm, and any other harm..
- 6.2 The extension proposed constitutes inappropriate development in the Green Belt and therefore, as required by PPG2, the applicant has put forward the following very special circumstances:
  - i) the projected demand for school places in this part of the Borough;
  - and

ii) that there are no suitable alternative sites for expansion.

6.3 The site is currently a school and the proposed development intensifies this use in order to meet projected demand for pupil places in the north east of the Borough. Seven alternative sites have been investigated for expansion and all have been identified to have significant disadvantages over the application site for example – isolation from residential areas, poorer public transport accessibility level, being located in cul-de-sacs. The conclusion reached is that Capel Manor Primary School is the most suitable site for the proposed development within the catchment area and this is accepted.

6.4 The works to the front of the proposed building, including the provision of the staff car park, are limited in scale and nature and do not detrimentally impact on the amenity of the Green Belt. The rear extension introduces a more significant volume of building, which inevitably extends into the open aspect to the rear of the site. However, the building retains the school's low profile which is appropriate to minimise impact on open views across the site from the wider Green Belt.

6.5 In summary, it is considered that the evidence put forward demonstrates that there are very special circumstances sufficient to outweigh the harm caused by virtue of the inappropriateness of the development and any other harm

#### Loss of Playing Fields

6.6 Sport England have objected to the development on the grounds that the proposed extension involves development on playing field without any justification through like for like replacement or the development be purely sports related or ancillary to the use of the sports field.

6.7 Paragraph 15 of PPG17, advises that development on playing fields should not be allowed unless:

- i. the proposed development is ancillary to the use of the site as a playing field (e.g. new changing rooms) and does not adversely affect the quantity or quality of pitches and their use;
- ii. the proposed development only affects land which is incapable of forming a playing pitch (or part of one);
- iii. the playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields of equivalent or better quantity and quality and in a suitable location; or
- iv. the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development of sport to outweigh the loss of the playing field

6.8 Notwithstanding the above, it is considered that the following material facts need to be considered. The site presently provides playing fields ancillary to the existing school and there is no community use of the fields. The playing fields are grassed with no formal pitches laid out. The applicant advises that the existing site has a total site area of 38,345 sq.m. The existing playing field area is 34,298 sq.m. The proposed playing field area is 30,478 sq.m, 89% of the existing playing field area. No formal pitches would be lost as a consequence of the development. The Education (School Premises) Regulations 1999 set out the statutory minimum total team playing fields for a school of Capel Manor's proposed numbers as 15,000 sq.m. The proposed

playing field area is more than double the statutory minimum and there is sufficient room to accommodate both a 200m running track and a junior sized football pitch. Moreover, the school is now considering community use of the playing fields by local sports teams, thereby opening up an open space resource previously unavailable. Although the proposals reduce the area of playing field, Core Policy 8 of the now adopted Core Strategy identifies the need to expand this school to meet an acknowledged educational need and having regard to other sensitivities associated with the site, its Green Belt and Conservation Area designation, the additional accommodation cannot be provided in an alternative fashion. The remaining playing field exceeds the required playing field area for a school of this size.

- 6.9 Given the above, it is considered that the objection from Sport England cannot be supported and the educational need in this part of the Borough, identified through Core Policy 8 of the recently adopted Core Strategy, outweighs the objection to the limited loss of the playing fields required to facilitate this school expansion.

#### Impact on the Forty Hill Conservation Area

- 6.10 The Conservation Area at this point is largely 'rural' in character with trees and hedgerows lining the road and substantial areas of open space beyond. The existing school building on the site does not make a positive contribution to the character and appearance of the Conservation Area, but given its limited height, and the fact that the grounds are relatively well enclosed by trees and hedges, it does not unduly intrude.
- 6.11 The proposals maintain the single storey approach to buildings on the site and given the bulk of the new building is confined to the rear of the site, it would barely be visible in the public domain.
- 6.12 The works to the front of the building provide a more recognisable entrance to the building and result in a more contemporary and cohesive appearance to the front elevation. The works would preserve the character and appearance of this part of the Conservation Area.
- 6.13 The application also proposes the provision of a larger car park to the site frontage. This area of the site is already substantially hard surfaced as it accommodates the existing staff car park and some hard play facilities for the children. These are to be relocated to the rear of the school, which provides the children with a better environment for outdoor play. The reconfiguration of the space to provide an enlarged staff car will have no further undue impact on the character or appearance of the area. The provision of a new access to provide in/out facilities for the car park, does result in the loss of a Sycamore tree and a section of hedging to the site frontage. The tree is not protected and a replacement tree will be planted. Whilst the removal of some of the hedging will open up views into the site, given the new extensions will achieve a more cohesive design and elevational appearance, it is considered that overall the character and appearance of the Conservation Area would be preserved.
- 6.14 The concern raised by the Mayor that temporary construction access would result in the loss of a tree and therefore construction access should be via the proposed new permanent access has been addressed and the applicant has confirmed that construction access will be via the latter.



### Sustainable Design

- 6.15 The submitted documents confirm that the target BREEAM rating for the scheme is 'Very Good' and the Preliminary BREEAM assessment suggests that the scheme will achieve this rating. The scheme has been designed to include renewable energy provisions for 20% of the energy use of the new extensions. This is in the form of photovoltaic cells included in a canopy in the playground ; the canopy also provides sheltered play space and some solar shading to the existing classrooms, which currently overheat. The scheme also includes a range of passive design features and demand reduction measures to reduce the carbon emissions of the proposed development.
- 6.16 The Mayor has asked that further information be provided to show the overall carbon dioxide savings, compared to a 2010 Building Regulations compliant development. They have also asked that the applicant investigate the possibility for connection to a district heating network, further consider the use of a green roof, rainwater harvesting and the discharge of surface water into the nearby open space, using SuDS.
- 6.17 The applicant advises that the scheme has been registered under the Building Regulations 2006 and will comply with these standards. However, they will undertake the comparison against a 2010 compliant scheme and this information will be available for the meeting.
- 6.18 With respect to district heating, the applicant has responded that the nearest existing district heating network is 9.5 miles away at Haggerson West. The nearest proposed district heating network is 7.9 miles away at Mill Hill East. As the site is an area of low heat demand density it is unlikely that a district heating network in this area would be a priority. Notwithstanding this, the applicant has been asked to provide the necessary pipework as part of this development to connect to any future district heating network and an update will be provided at the meeting.
- 6.19 A green roof has been considered for the new wing of the building but is unfortunately not achievable within the budgetary constraints.
- 6.20 Rainwater harvesting will be included in the form of water butts.

### Transport

- 6.21 The school presently employs 39 staff, 22 being full time and 17 being on site at any one time; there are 9 on- site parking spaces at present. The proposed expansion would increase staff numbers to 53, including 29 part time and 24 being on site at any one time. The proposal includes provision for 28 on-site car parking spaces. This level of provision is therefore considered acceptable.
- 6.23 The Mayor and TfL have asked that provision be made for vehicle charging points in line with emerging guidance and draft London Plan policy i.e. 20% of all parking spaces. The applicant has advised that they can make initial provision for one charging point, with additional provision being made if demand increases. This would be monitored through the travel plan. This approach is considered acceptable given current demand.

- 6.24 The proposal makes provision for 10 cycle parking spaces to be provided at the outset, with further spaces provided as demand increases, monitored through the travel plan. TfL and the Mayor have requested that 30 spaces be provided at the outset. The applicant has been asked to increase provision to 30 spaces and an update will be provided at the meeting.
- 6.25 The expansion of the school as proposed will increase traffic generation around the site and demand for on street parking. A series of measures have been identified in the Transport Assessment to safeguard highway safety. A condition is recommended requiring that a programme and timescales for implementation be submitted to and approved prior to the commencement of works on site.
- 6.26 The Mayor and TfL have requested a PERS audit be undertaken focusing on routes to public transport access points. The transport consultant has undertaken an audit of the area although not strictly following the PERS methodology. This led to the recommendations for the off-site highway works listed above. A further audit is not proposed.

#### Trees

- 6.27 The development result in the loss of 4 trees in total, none of which are the subject of a Tree Preservation Order, but do make a contribution to the character and appearance of the conservation area and the amenity of the Green Belt. It is accepted that these trees need to be removed to facilitate the development and meet the acknowledged educational need. The applicant has agreed to replacement planting to compensate for their loss and this is to be secured by condition. On balance, this approach is considered acceptable.

#### Biodiversity

- 6.28 A habitat survey of the site has been provided. This concludes that the habitats found on site are common and widespread and thus, of low ecological value. The site supports badgers for foraging and commuting, but not as a resident species. The site is unlikely to support common reptile and amphibian species throughout. However, there are areas of woodland around the site which could provide suitable habitat for some species. These areas would not be affected by the proposed development. Bats are likely to use the wooded areas of the site, but these are not expected to be affected by the development.
- 6.29 The ecological report submitted identifies a number of enhancements that can be implemented to enhance the biodiversity of the site. A condition is recommended to require the submission of a programme of implementation.

#### Impact on adjoining residents

- 6.30 The site is separated from the nearest residential properties by the New River. Given this and the size, scale and siting of the proposed extensions, the development would have no undue impact on the amenities of these residents.

### **7. Conclusion**

7.1 In conclusion it is considered that there is an acknowledged education need for the proposed development and that this is sufficient to outweigh the harm caused to the Green Belt as a result of the inappropriate development and to outweigh the objection raised by Sport England to the loss of playing fields. The development is designed to respect its setting within the Green Belt and the Forty Hill Conservation Area and would preserve its character and appearance. The expansion of the school will result in an increase in traffic generation. However, it is considered that the off-site highway works identified will safeguard highway safety and through the provision of a robust travel plan, reliance on the car should be reduced. Accordingly, approval is recommended for the following reasons:

- 1 The evidence put forward demonstrates that there are very special circumstances sufficient to outweigh the harm caused to the Green Belt by virtue of the inappropriateness of the development and any other harm. In this respect the development accords with the advice contained in Planning Policy Guidance Note 2, Green Belts, London Plan policy 3D.9 and Core Strategy Policy CP33.
- 2 The evidence put forward demonstrates that special circumstances exist in the form of an acute educational need to outweigh the presumption against the loss of playing fields. In this respect the development has appropriate regard to Core Strategy CP 34 but that in the circumstances greater weight must be given to Core Policy 8 which identifies the need for this school to expand by 1 form of entry and given the specific site circumstances, in terms of the Green Belt and Conservation Area designations, some development within the existing playing fields is unavoidable.
- 3 The development, having regard to its size, siting and design would preserve the character and appearance of this part of the Forty Hill Conservation Area. In this respect the development complies with Core Strategy Policies 30 and 31, Policies (II)GD3, (II)C28 and (II)C30 of the Unitary Development Plan and London Plan policies 4B.1, 4B.8 and 4B.12
- 4 Having regard to the conditions imposed, the development would not unduly prejudice the free flow and safety of traffic on the adjacent highway. In this respect the development complies with Core Strategy Policies CP24 and 25, Policies (II)GD6, (II)GD8 and (II)T13 of the Unitary Development Plan and London Plan policies 3C.1, 3C.2, 3C.17, 3C.21, 3C.22, 3C.23 and 3C.25.

## **8 Recommendation:**

8.1 That subject to any Direction from the Government Office for the West Midlands, following Sport England's objection to the development, planning permission be GRANTED subject to the following conditions:

- 1 C07 Details of materials
- 2 C09 Details of hard surfacing
- 3 C14 Details of access and junction
- 4 That development shall not commence until details of a programme and timescales for the implementation of the off site highway works identified within the application have been submitted to and approved by the Local Planning Authority. The works shall be undertaken in accordance with the approved programme unless otherwise agreed in writing by the Local Planning Authority.

- Reason: In the interests of highway safety
- 5 That at least one electric vehicle charging point shall be provided within the proposed car park prior to occupation of the development.
- Reason: In the interests of sustainability
- 6 That prior to the occupation of the development a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:
- i) Agreed targets with the aim of reducing the impact of car travel on the environment;
  - ii) Measures to promote sustainable transport and provisions promoting a wider range of cleaner travel choices;
  - iii) A full travel survey in consultation with relevant Council Officers;
  - iii) A programme for the review and monitoring of the Travel Plan to ensure target are met.
- The School shall operate in accordance with the approved Travel Plan.
- Reason: In order to reduce the level of car borne traffic associated with the development and move towards more sustainable modes of transport.
- 7 That development shall not commence until a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- Reason: In the interests of sustainability
- 8 That development shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved plan.
- Reason: In the interests of sustainability
- 9 That development shall not commence until details of the design and siting of cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided in accordance with the approved details prior to occupation of the development.
- Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards.
- 10 C17 Details of landscaping
- 11 C18 Details of tree protection
- 12 That demolition works shall not commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority setting out the following:
- i. measures to control dust and emissions from the proposed demolition of the buildings and structures written in accordance with the 'London Best Practice Guidance:
  - ii. the provision within the site of an area for the standing, loading and turning of vehicles removing material from the site and all vehicles associated with the removal of material from the site shall park and wait on site in accordance with the approved details;

iii the provision within the site of a wheel washing facility and all vehicles shall pass through the wheel wash facility before exiting the site;

iv. hours of work.

The works shall be undertaken in accordance with the approved details.

Reason: To safeguard the amenities of the occupiers of adjoining and nearby properties, in the interest of safeguarding the safety and free flow of traffic including pedestrian traffic on the adjoining highways and to ensure that material removed from the site is not deposited on local roads.

- 13 That development shall not commence until a programme of implementation of the ecological enhancement works identified in the Ecological Assessment forming part of this application has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved programme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance the ecological value of the site.

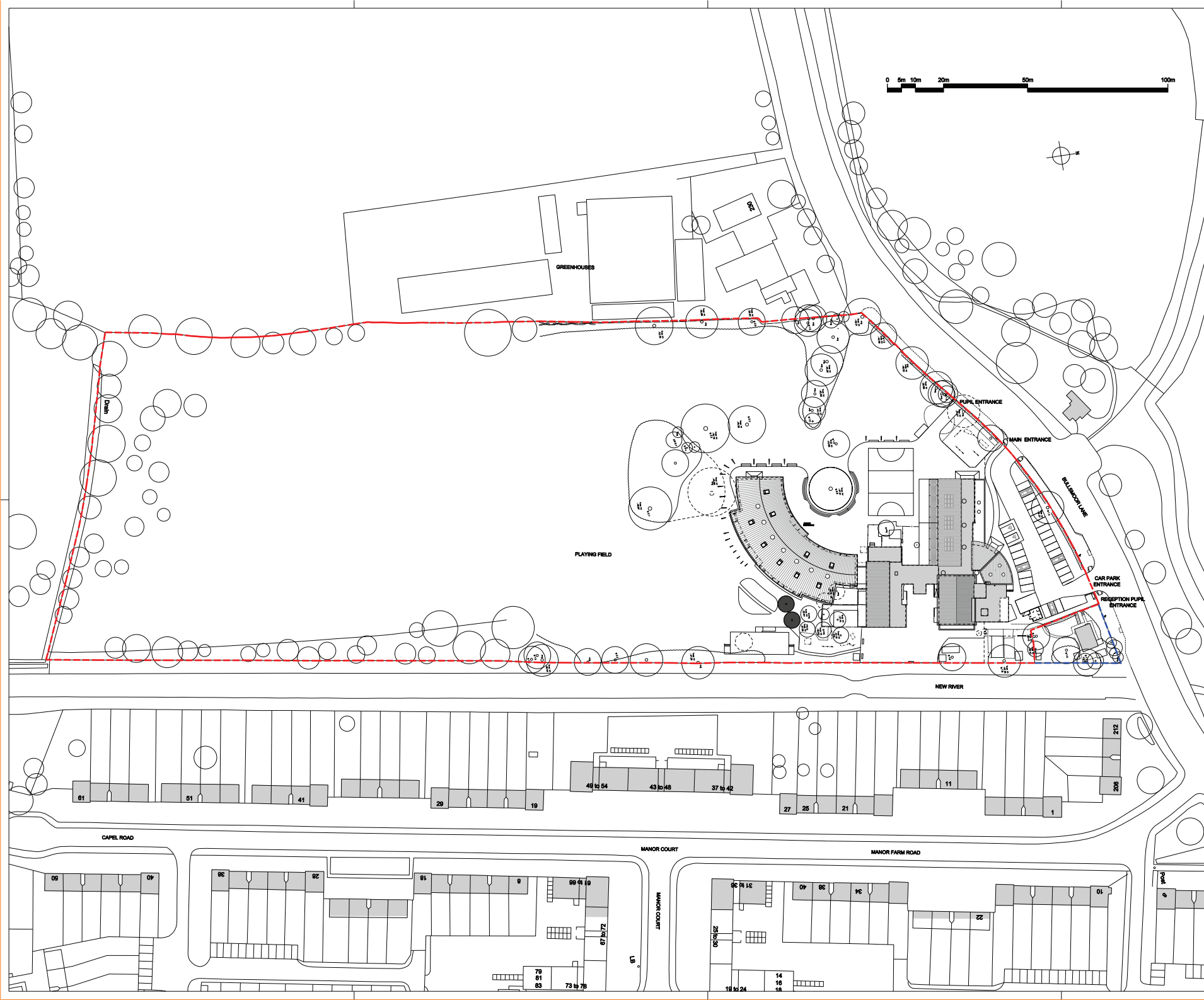
- 14 Evidence confirming that the development achieves a BREEAM 2008 rating of no less than 'Very Good shall be submitted to and approved in writing by the Local planning Authority. The evidence required shall be provided in the following formats and at the following times:

- a. a design stage assessment, conducted by an accredited BREEAM Assessor and supported by relevant BRE interim certificate, shall be submitted at pre-construction stage prior to the commencement of superstructure works on site; and,
- b. a post construction assessment, conducted by and accredited BREEAM Assessor and supported by relevant BRE accreditation certificate, shall be submitted following the practical completion of the development and within 6 months of first occupation of the development.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior approval of the Local Planning Authority.

Reason: In the interests of addressing climate change and to secure sustainable development in accordance with the strategic objectives of the Council and Policies 4A.1, 4A.2, 4A.3 and 4A.9 of the London Plan as well as PPS1.

- 15 C51A Time Limited Permission



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 2. Work to figured dimensions where shown  
 3. Confirm dimensions on site before fabrication or construction - report any discrepancies to CA

- KEY**
- EXISTING TREES
  - EXISTING TREES TO BE REMOVED
  - PROPOSED PLANTED APPLE TREES TO REPLACE EXISTING

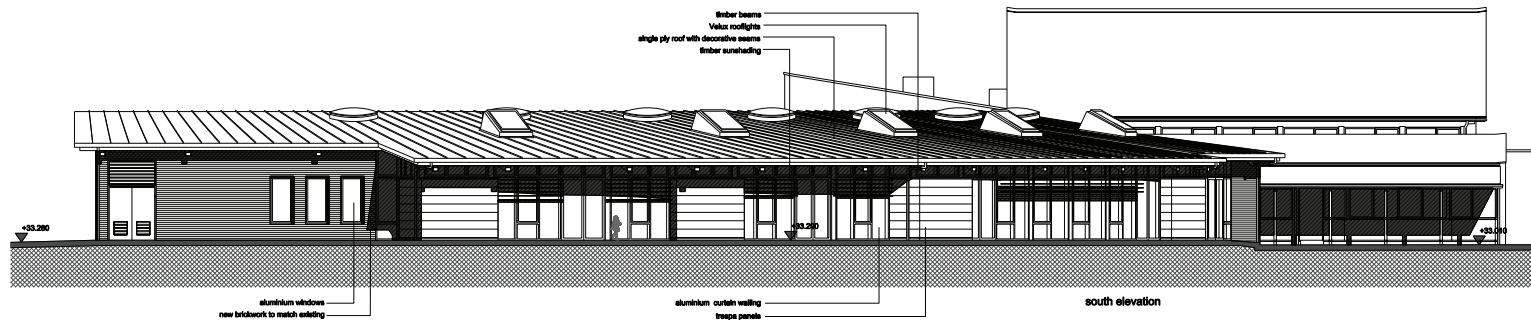
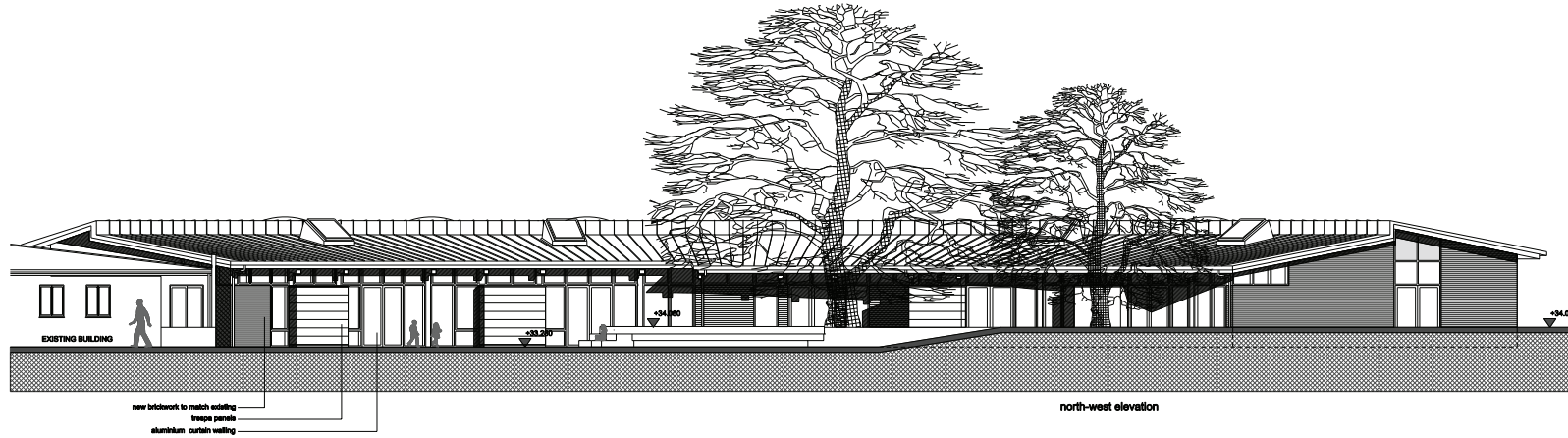
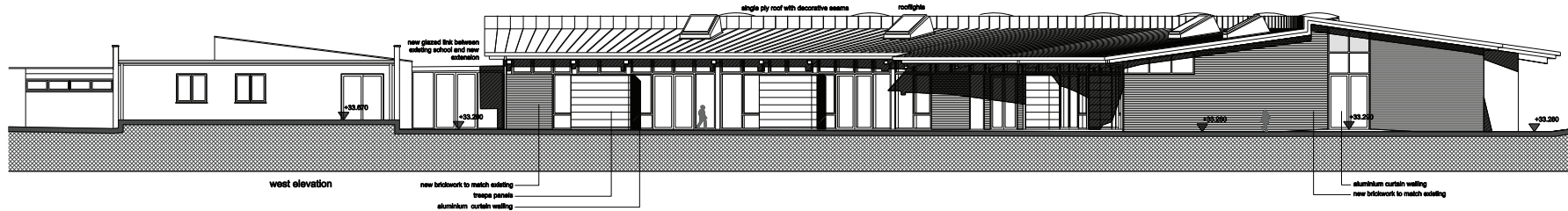
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01	18/08/10	Issue for planning	am
00	07/03/10	Drawing original / issued	am
rev	date	description	by
drawing amendments			

**Shepherd Epstein Hunter**  
 Architecture Planning Landscape

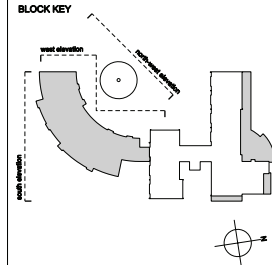
Phoenix Yard, 65 Kings Cross Road, London WC1X 9LW  
 tel: 020 7841 7500 fax: 020 7841 7575  
 email: architecture@seh.co.uk web: www.seh.co.uk

project  
**Capel Manor Primary School**  
 client  
**London Borough of Enfield**

drawing status	scale	size
<b>Planning</b>	<b>1:800</b>	<b>A1</b>
drawing	job no.	
<b>Proposed Site Plan</b>	<b>10006</b>	
drawing no.	rev.	
<b>005</b>	<b>02</b>	



- Notes
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  3. Confirm dimensions on site before fabrication or construction - report any discrepancies to CA



rev	date	description	by
00	08/08/10	Drawing originated / issued.	shh
01	10/08/10	North elevation of Classroom Block amended. Rooflights amended.	shh
02	15/08/10	Roofing and light weight cladding amended. Shading and site levels added.	shh
03	24/08/10	Roof amended for planning.	shh

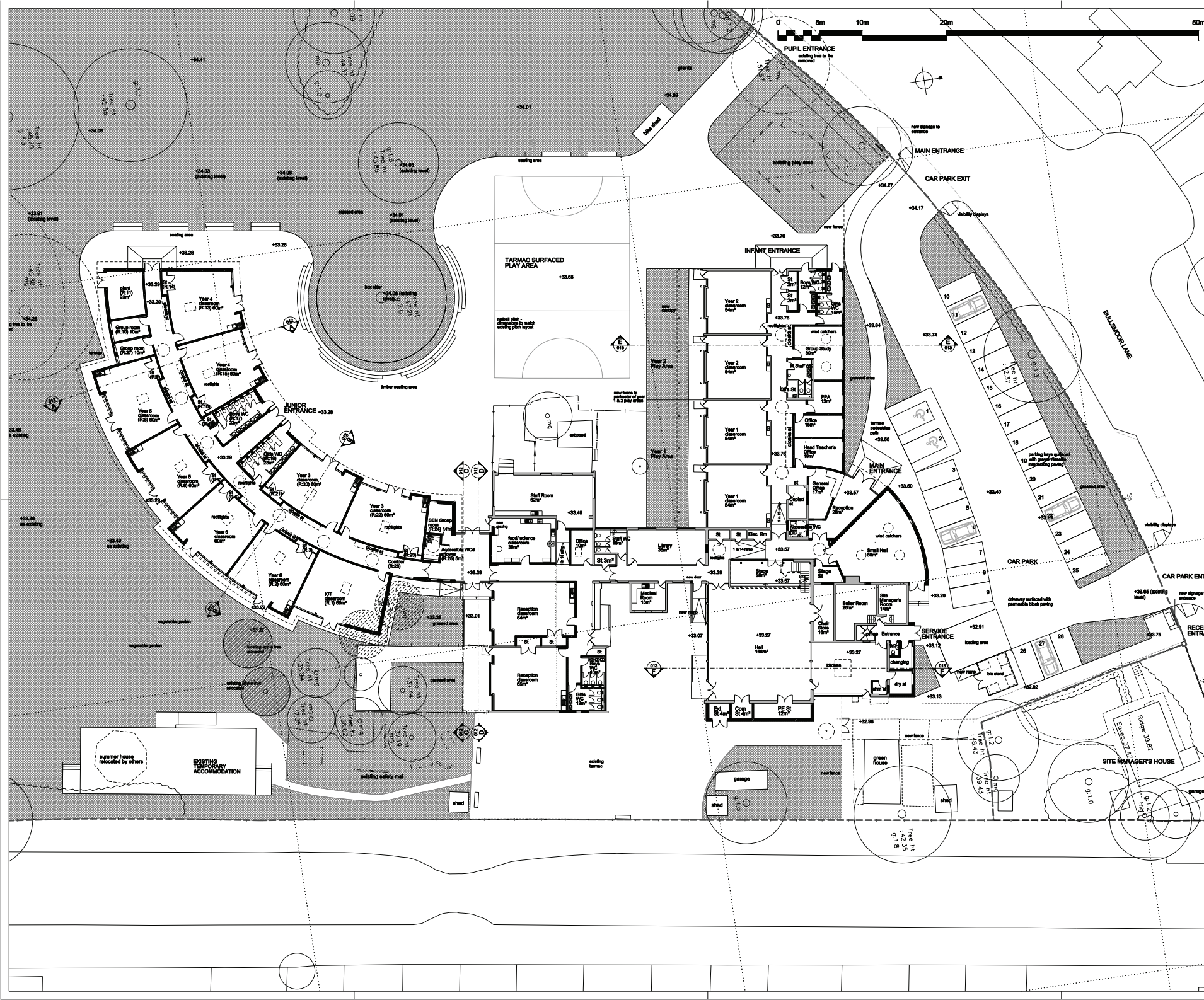
**Shepherd Epstein Hunter**  
 Architecture Planning Landscape

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client  
**Capel Manor Primary School**

project  
**London Borough of Enfield**

drawing status	scale	size
<b>Planning</b>	<b>1:100</b>	<b>A1</b>
drawing	JEP no.	rev.
<b>Proposed Elevations</b>	<b>10006</b>	
<b>Classroom Block - Sheet 1</b>	drawing no.	rev.
	<b>011</b>	<b>03</b>



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no	description	by	date
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50	14009/10 issued for planning		14/01/10

**Shepherd Epstein Hunter**  
Architecture Planning Landscape

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email: architecture@seh.co.uk web: www.seh.co.uk

project  
**Capel Manor Primary School**  
client  
**London Borough of Enfield**

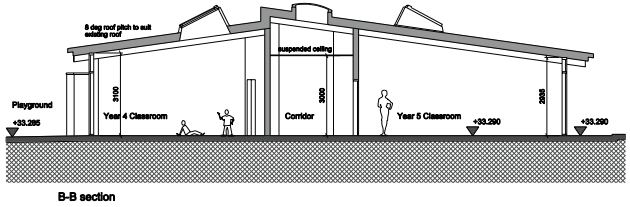
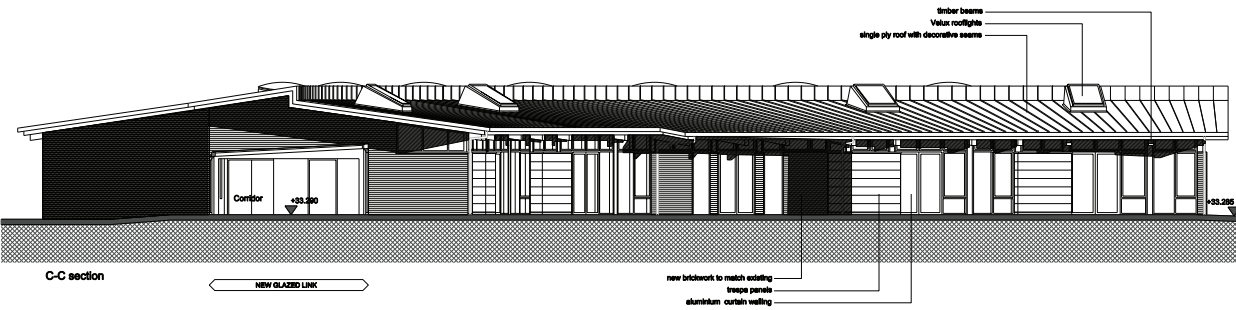
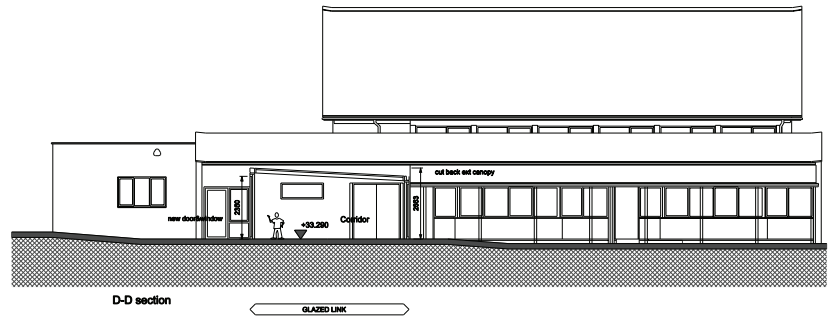
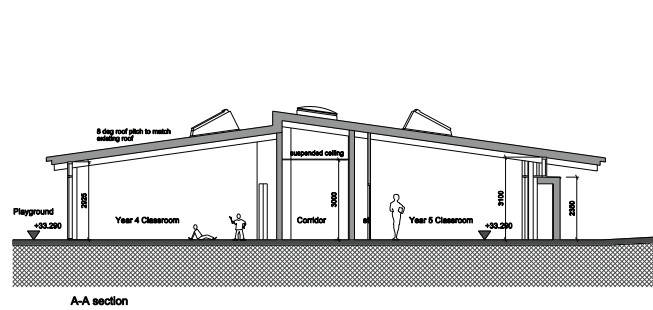
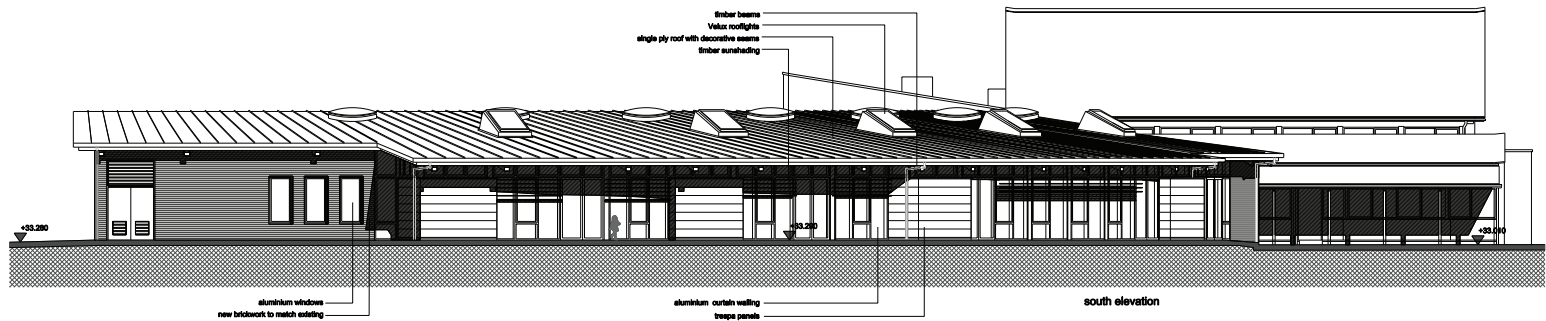
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drawing <b>Proposed Ground Floor Plan</b>	job no. <b>10006</b>	rev. <b>06</b>
drawing no. <b>006</b>		



Notes

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**BLOCK KEY**



rev	date	description	by
02	24/08/19	Issued for planning.	ash
01	18/08/19	Issued for planning. Site levels added.	ash
00	11/06/19	South elevation added. Section and elevations amended. Drawing originated / issued.	ash

Drawing amendments

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 Architecture Planning Landscape

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 tel: 020 7841 7500 fax: 020 7841 7575  
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project  
**Capel Manor Primary School**

client  
**London Borough of Enfield**

drawing status	scale	size
<b>Planning</b>	<b>1:100</b>	<b>A1</b>
drawing	10006	
proposed elevations and sections		
classroom block - sheet 2	012	02

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 16<sup>th</sup> December 2010

**Report of**

Assistant Director, Planning & Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Mr A. Jarratt Tel: 020 8379 3842

**Ward:** Southbury

**Application Number :** LBE/10/0034

**Category:** Other Development

**LOCATION:** 192, SOUTHBURY ROAD, ENFIELD, EN1 3SD

**PROPOSAL:** Single storey front extension to provide new entrance and relocation of cycle parking.

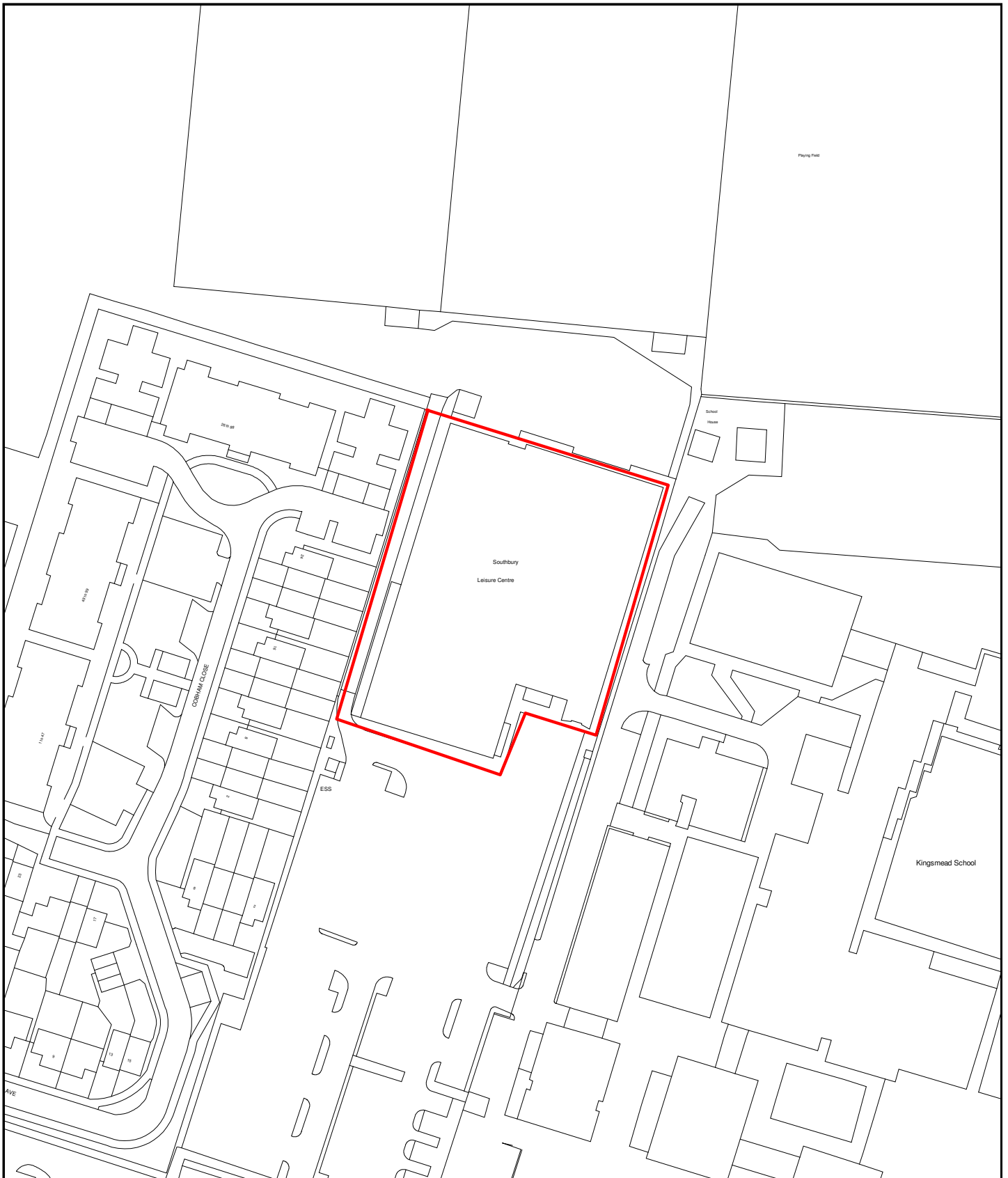
**Applicant Name & Address:**

London borough of Enfield  
PO Box 53,  
Civic Centre,  
Silver Street,  
Enfield,  
Middlesex,  
EN1

**Agent Name & Address:**

Mr Gustavo De Mcedo,  
Archer Architects  
7, Gateway 1000  
Arlington Business Park  
Whittle Way  
Stevenage  
Herts  
SG1 2FP

**RECOMMENDATION:** That in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992, planning permission is deemed to be **GRANTED** subject to conditions.



### Development Control



Scale - 1:1250  
Time of plot: 08:01

Date of plot: 03/12/2010

## **1 Site and Surroundings**

- 1.1 The Leisure Centre comprises a detached building located to the north of Southbury Road, adjacent to Kingsmead School.
- 1.2 The surrounding area is of mixed composition with the leisure centre being separated by 25 metres from the nearest neighbouring building (the adjacent Kingsmead School) and over 50 metres to the nearest residential properties, which are in Cobham Close: these residential properties being screened from the leisure centre entrance by another section of the existing leisure centre building.

## **2 Proposal**

- 2.1 Permission is sought for the removal of an existing steel and glass canopy to facilitate the introduction of a new enclosed lobby to its southern elevation which contains the main elevation, as well as the relocation of the existing bike rack.
- 2.2 The lobby would be finished with a 3.5 metre high flat roof with framed glazing and would have a triangular footprint. The lobby would project out from the main elevation, a maximum of 4.08 metres and at its widest point (where the structure adjoins the main building) would have a width of 7.5 metres.
- 2.3 The bike rack would be relocated from its current position to the site's western boundary which is shared with the adjoining Kingsmead School.

## **3 Relevant Planning Decisions**

- 3.1 There is none relevant to the planning application.

## **4 Consultations**

### 4.1 Statutory and non-statutory consultees

- 4.1.1 Traffic and Transport raise no objections to the application.

### 4.2 Public

- 4.2.1 Due to the scale of the proposed development, and the distance to the neighbouring residential properties, no direct neighbour notification has been carried out. However, a site notice was displayed at the site.

## **5 Relevant Policy**

### 5.1 LDF – Core Strategy

- 5.1.1 At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance

CP9: Supporting community cohesion  
CP30: Maintaining and improving the quality of the built and open environment

## 5.2 “Saved” Unitary Development Plan

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

(II)CS2	Community services and the effective use of land
(II)CS3	Facilities provided in the optimum location
(II)GD3	Aesthetic and functional design
(II)GD6	Traffic generation
(II)GD8	Access and servicing

## 5.3 London Plan

Policy 2A.1	Sustainability criteria
Policy 3A.18	Protection and enhancement of community infrastructure and community facilities
Policy 3C.17	Tackling congestion and reducing traffic
Policy 3C.23	Parking strategy
Policy 3D.13	Children and young people’s play and informal recreation strategies
Policy 4B.1	Design principles for a compact city
Policy 4B.8	Respect local context and communities

## 5.4 Other Material Considerations

PPS1:	Delivering sustainable development
PPG13:	Transport
PPG23:	Planning for open space, sport and recreation

# 6 **Analysis**

## 6.1 Impact on Neighbours

6.1.1 It is considered that the proposed single storey front extension (the new entrance) and the relocation of the existing bike stand, by reason of their height, size, siting and the separation from neighbouring buildings, would not have a detrimental impact upon the residential amenity or the activities of neighbouring buildings.

## 6.2 Impact on character and appearance of the area

6.2.1 The proposed single storey front extension would use modern materials, which would complement those of the existing building, Moreover, whilst the structure would be of an appropriately subordinate scale to the existing building, its design would add to the front elevation by creating a clear focal point for the main entrance.

6.2.2 The proposed bike shed which is to be positioned against the side boundary with the School, is a relatively modest structure which would not detract fro

the setting and overall appearance of the building. Moreover, it would not detract from the character and appearance of the surrounding area.

### 6.3 Traffic Generation, Access and Parking

6.3.1 The repositioning of the cycle parking area remains close to the main entrance and thus would be acceptable. However, a condition is recommended to ensure that the cycle parking is relocated promptly and thereafter maintained.

6.3.2 The proposal has no implication for traffic generation, access or parking

## 7 **Conclusion**

7.1 In the light of the above, it is considered that the proposed single storey front extension to provide new entrance and relocation of cycle parking would be acceptable for the following reason.

- 1 The proposed single storey front extension to provide new entrance and relocation of cycle parking, by virtue of their separation from neighbouring properties and design, as well as the design, depth, height and scale of the proposed single storey front extension, would not result in a loss of residential amenity or cause undue detriment to the character and appearance of the surrounding area, with regard to policies (II)CS2, (II)CS3, (II)GD1, (II)GD2, (II)GD6 and (II)GD8 of the Unitary Development Plan as well as policies 3C.23, 4B.1 and 4B.8 of the London Plan and Policies CP9 and CP30 of the Core Strategy.

## 8. **Recommendation**

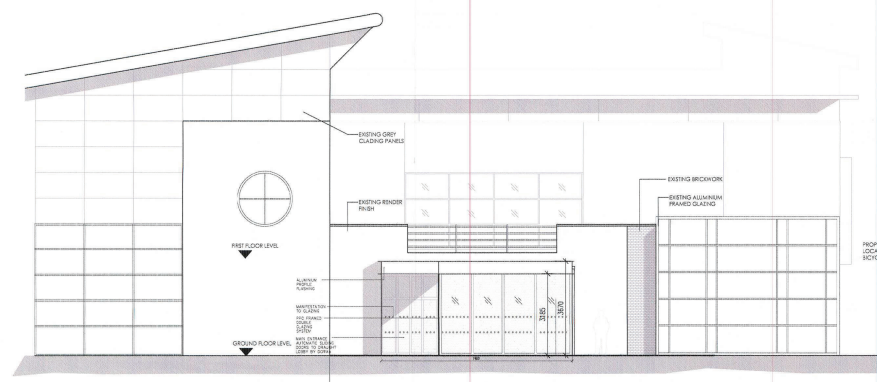
8.1 That in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992, planning permission is deemed to be GRANTED subject to conditions.

- 1 The existing cycle parking shelter/equipment shall be reinstalled at the new location within 3 months of the completion of the development and thereafter, retained.

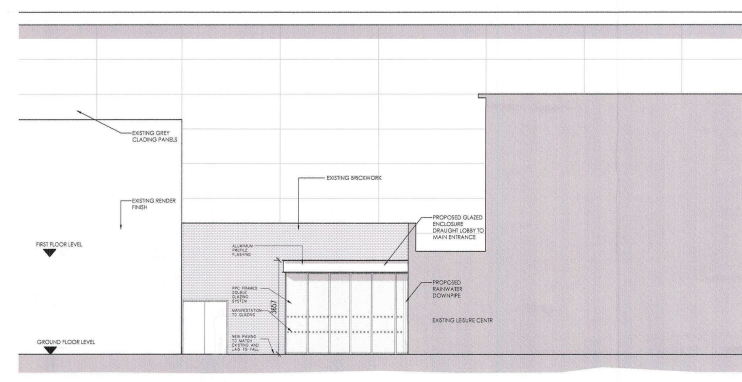
Reason: in the interests of encouraging use of bicycles as a sustainable and non car means of transport to / from the leisure centre, having regard to the Council's adopted Core Policies and "saved" Unitary Development Plan policies

- 2 C51A – Time limited permission (3 years)

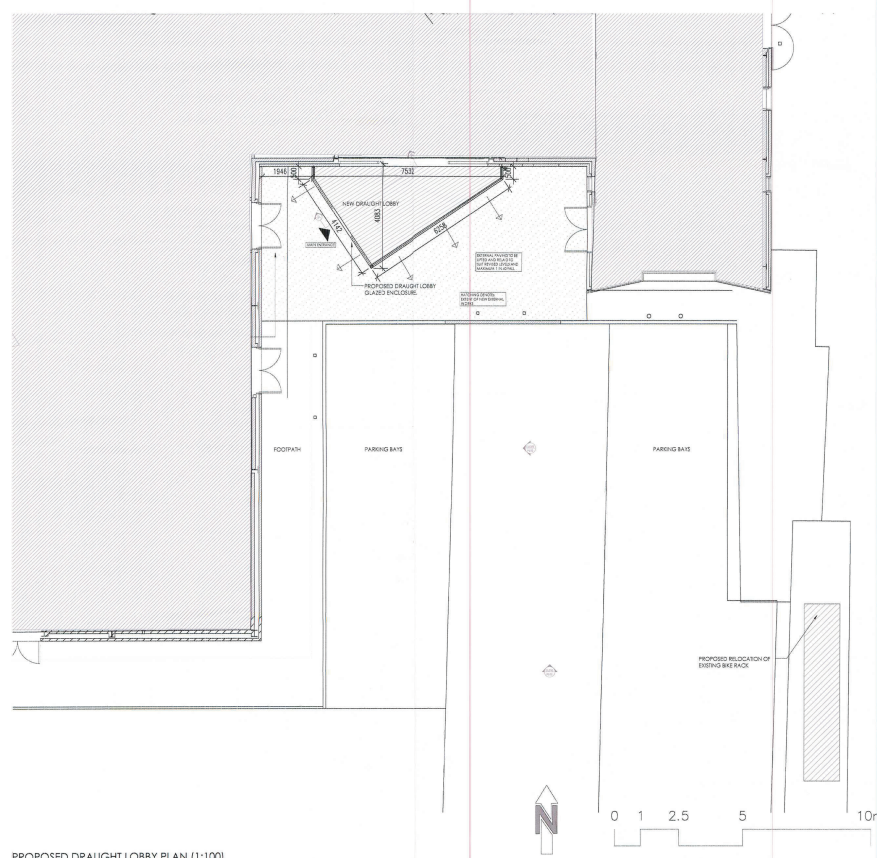
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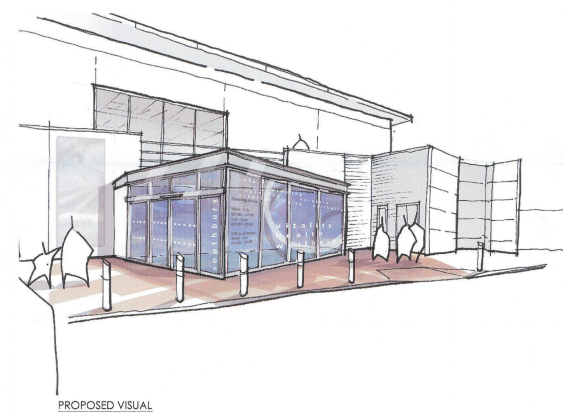
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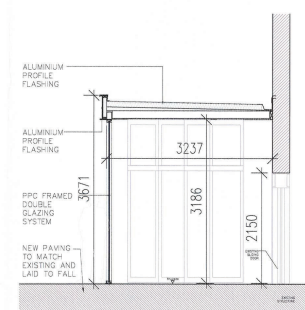
PROPOSED ELEVATION 2 (1:100)



PROPOSED DRAUGHT LOBBY PLAN (1:100)



PROPOSED VISUAL



PROPOSED SECTION A-A (1:50)

FOR PLANNING

Revision: By Approved

Office 7, Gateway 1000  
 Arlington Business Park  
 Whittle Way  
 Stevenage  
 Hertfordshire  
 SG1 2FP

t: 01438 749400  
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 e: erc@archer.uk.com  
 www.archerarchitects.co.uk

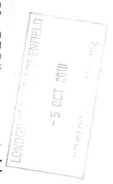
archer architects

Client:  
**FUSION**

Project:  
**SOUTHBURY LEISURE CENTRE  
 SOUTHURY RD, ENFIELD**

Drawing Title:  
**PROPOSED DRAUGHT LOBBY  
 PLANS/ELEVATION/SECTION**

Scale: 1:50/1000A1 04/10/10 IB  
 Date: Drawn: Checked:  
 Project No: 3794 Drawing No: P102 Revision: -





## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 16<sup>th</sup> December 2010

**Report of**

Assistant Director, Planning & Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
 Andy Higham Tel: 020 8379 3848  
 Mrs S.L. Davidson Tel: 020 8379 3841

**Ward:** Grange

**Application Number :** TP/10/0473

**Category:** Dwellings

**LOCATION:** 1, CRESCENT ROAD and 33, WAVERLEY ROAD, ENFIELD, EN2 7BN

**PROPOSAL:** Redevelopment of site to provide a 3-storey block of 9 self contained flats (comprising 7 x 2-bed and 2 x 4-bed) involving accommodation in roof with dormer windows to front and side and a roof terrace, balconies to all sides and basement parking with access to Crescent Road.

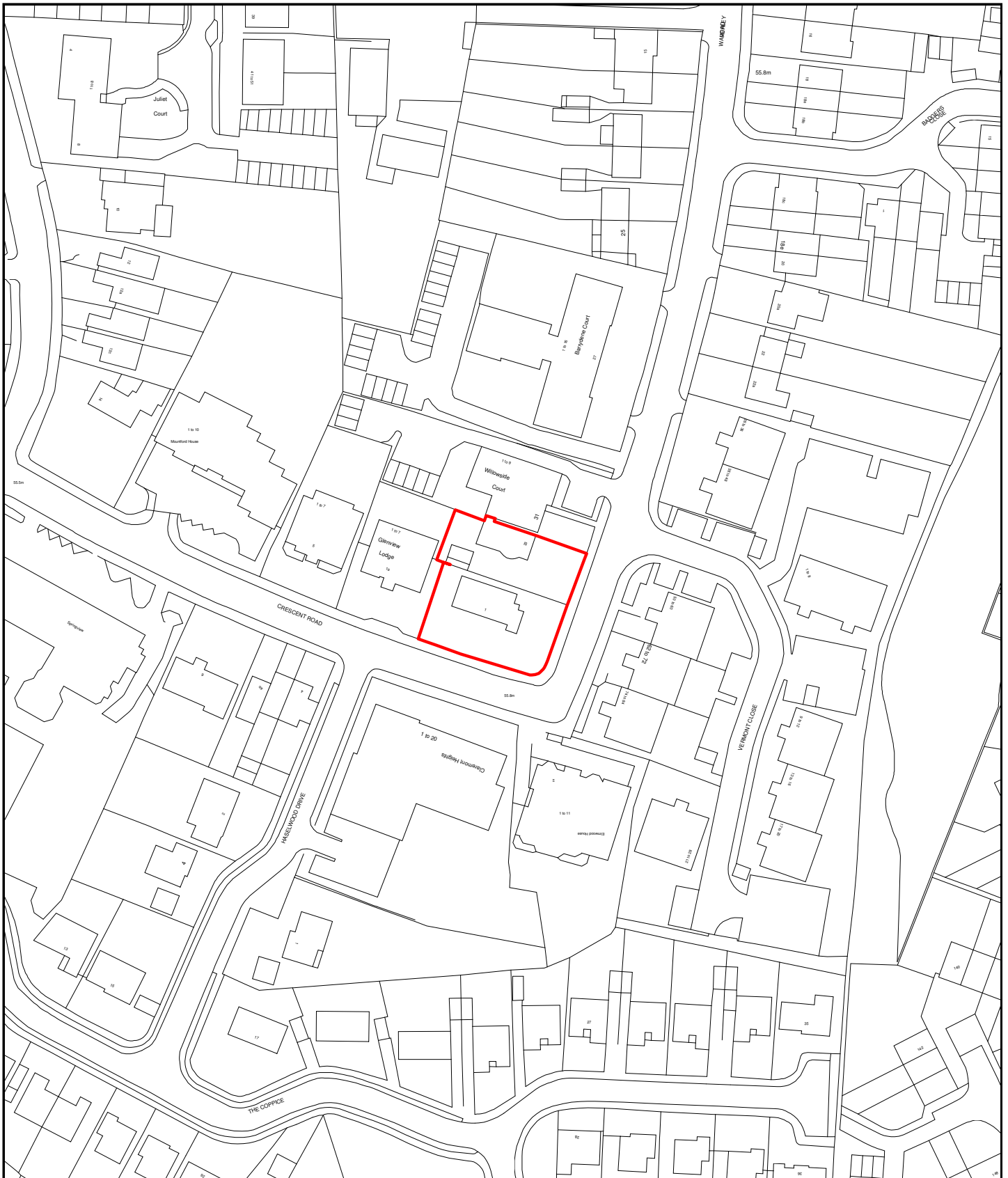
**Applicant Name & Address:**

Mr L Hava  
 c/o agent

**Agent Name & Address:**

Mr Ian Coward,  
 Collins & Coward  
 Westwood Park  
 London Road  
 Little Horkesley  
 Colchester  
 Essex  
 CO6 4BS

**RECOMMENDATION:** That subject to the satisfactory completion of a S106 Agreement to secure the contribution referred to in this report, planning permission be **GRANTED** subject to conditions.



### Development Control



Scale - 1:1250  
Time of plot: 08:03

Date of plot: 03/12/2010

## **1 Site and Surroundings**

- 1.1 The application site is located at the corner of Crescent Road and Waverley Road and is presently occupied by two detached chalet style bungalows. The site is one of the few undeveloped plots in the immediate vicinity and is surrounded on all sides by more recent flatted redevelopment schemes. The site immediately to the north, Willowside Court, comprises a three storey block of flats; to the west the site adjoins Glenview Lodge, a four storey block with basement car parking. Opposite the site are Claremont Heights, Elmwood House and Nos. 50-84 Waverley Road, flatted developments of similar scale.
- 1.2 The application site contains two trees the subject of a Tree Preservation Order, a Copper Beech within the front garden of No.33 Waverley Road and a Sweet Chestnut within the front garden of No. 1 Crescent Road.

## **2 Proposal**

- 2.1 This application proposes the demolition of the existing two properties and the redevelopment of the site through the erection of a three storey block, plus accommodation within the mansard roof, to provide a total of 9 flats (7 x 2 bed and 2 x 4 bed). The building would be positioned to respect the building line to both Waverley Road and Crescent Road. Balconies are proposed to all flats and these are sited to the front and rear of the proposed block. Basement car parking is proposed, accessed from Crescent Road. Provision is made for 11 car parking spaces and 11 cycle parking spaces. The basement area also accommodates storage areas for each flat. Lift access would be provided from the basement parking area to all floors.

## **3 Relevant Planning Decisions**

- 3.1 TP/96/0513 Planning permission granted for the redevelopment of land adjacent to 1 Crescent Road in December 1996 by the erection of a block of 7 two-bed flats, together with associated car parking spaces and front and rear dormer windows, now known as Glenview Lodge.
- 3.2 TP/91/1150 Planning permission granted for the change of use of part of No.1 Crescent Road house to Montessori Nursery/Playgroup for 16 children aged 2 1/2 - 5 year in December 1991. This permission was subsequently varied under reference TP/94/0763 to increase the number of children to 20. This use no longer appears to be evident at the site.

## **4 Consultations**

### **4.1 Statutory and non statutory consultees**

#### **4.1.1 Traffic and Transportation note that:**

- Crescent Road and Waverley Road are both local access roads.
- Double yellow lines apply to junctions with Waverley Road and Vermont Close, Waverley Road and Crescent Road, Haselwood Drive and Crescent Road.
- The location has poor public transport accessibility (PTAL 2)

- 12 cycle parking spaces and 11 car parking spaces (1 disabled) are proposed in the basement car park which equates to 1.2 spaces per flat in a secure underground car park, plus 2 visitor spaces on the forecourt.
- Ramp fall of 1:15 and headroom of 2.10 are both within the adopted standards.
- The car parking arrangement provides sufficient turning space.
- Cycle storage is to be located in the underground car park however a condition needs to be attached to make sure it is secure.
- The bin enclosure will not impede pedestrian sight line and will have a dropped kerb access.
- A single 5.6m wide crossover off Crescent Road is proposed. This is well over the allowed maximum of 4.9m for a single crossover and therefore amendments will be required and this can be addressed through condition.
- 2 pedestrian accesses (both 1.78m wide) off Crescent Road and Waverely Road are proposed.
- Two existing crossovers one to the junction with Waverely Road and another one on Waverely Rd will need to be closed up and the footway reinstated.

They raise no objection to the development and consider that it would not give rise to conditions prejudicial to the free flow or safety of traffic.

- 4.1.2 Education advise that the development would produce an average of 1 additional primary aged pupil a year equating to a contribution of £13,115. Secondary yield is negligible. This contribution will need to be secured through a S106 Agreement.

#### 4.2 Public

- 4.2.1 Consultation letters have been sent to the occupiers of 87 nearby properties. In addition, the application has been advertised on site. In response, 24 letters of objection have been received which raise all or some of the following points:

- object to any more blocks of flats be built which is changing the character of the area
- overdevelopment
- this is no longer a brownfield site
- nothing wrong with the existing properties
- the road is already hazardous for parking and driving
- increase congestion
- new traffic island at Old Park Road junction has increased traffic movements on Crescent and Waverley Road
- access to basement car park close to a dangerous corner
- increasing damage to pavements from construction vehicles, delivery vehicles etc
- overloading utility infrastructure – gas, electricity , water and sewerage supplies
- loss of light and outlook
- loss of privacy
- noise pollution
- impact on trees

- the area is already overcrowded with the number of flat developments that have taken place
- the buildings would be higher than the existing buildings resulting in a loss of view
- could impact access for ambulances etc to the nearby elderly persons home.
- Noise, dust and disturbance
- Excavation for a basement car park could damage foundations of adjoining buildings
- Impede access for maintenance and decoration of adjoining blocks

4.2.2 Councillor Vince, (Ward Councillor) and David Burrowed MP has also raised objections in support of their constituents concerns.

## 5 Relevant Policy

### 5.1 LDF – Core Strategy

5.1.1 At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance

Core Policy 2	Housing supply and locations for new homes
Core Policy 4	Housing Quality
Core Policy 5	Housing Types
Core Policy 20	Sustainable Energy Use and Energy Infrastructure
Core Policy 21	Delivering sustainable water supply, drainage and sewerage infrastructure
Core Policy 30	Maintaining and improving the quality of the built and open environment
Core Policy 46	Infrastructure contributions

### 5.2 Unitary Development Plan

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

(II)GD3	Design and character
(II)GD6	Traffic implications
(II)GD8	Access and servicing
(II)H8	Privacy and overlooking
(II)H9	Amenity space
(II)T13	Access onto the public highway

### 5.3 London Plan

- 3A.1 Increasing London's Housing Supply
- 3A.2 Borough Housing targets
- 3A.3 Maximising the potential of sites
- 3A.5 Housing choice
- 3A.6 Quality of new housing provision

- 3C.23 Parking strategy
- 3D.13 Children and Young People's Play and informal recreation strategies
- 3D.14 Biodiversity and nature conservation
- 4A.3 Sustainable design and construction
- 4A.14 Sustainable drainage
- 4B.1 Design principles for a compact city
- 4B.5 Creating an inclusive environment
- 4B.8 Respect local context and communities

#### 5.4 Other Material Considerations

- PPS1 Delivering sustainable development
- PPS3 Housing (June 2010)
- PPG13 Transport

## **6 Analysis**

### 6.1 Principle

- 6.1.1 The existing houses are not listed, nor are they located within a conservation area. Accordingly, planning permission is not required for their demolition.
- 6.1.2 The recent changes to PPS3 explicitly remove sites such as this from the definition of 'previously-developed land' and therefore the policy presumption in favour of making a more effective and efficient use of such land does not now apply. However, the changes within the PPS do not introduce an objection in principle to the redevelopment of such sites but the Council must continue to consider the application on its merits having regard to the impact of redevelopment on the character of the area, the amenities of the occupiers of adjoining properties, highway safety etc. However as the immediately surrounding area is entirely residential in character and in the main consists of flatted developments, the use of this site for more intensive residential purpose is considered acceptable in principle and consistent with the character of the area.

### 6.2 Impact on the character of the area

- 6.2.1 The immediately surrounding area in the main consists of flatted developments and the proposed development of flats would be consistent with this.
- 6.2.2 The character of the surrounding area has both urban and suburban characteristics and therefore the London Plan would suggest a wide density range of from 150 to potentially 450hrph. However, given the PTAL rating of 2 a density mid-range would be appropriate. The site has an area of 0.1017 hectares. This application proposes 33 habitable rooms, giving a density of 324 hrph.
- 6.2.3 This numerical assessment of density should also be taken with an assessment of the size and scale of the building proposed and how it sits within the context of the area. The area is dominated by flatted developments, the majority of which are of a size and scale consistent with the building proposed. Accordingly, the density of development proposed and the scale of building necessary to achieve this is considered acceptable and consistent with the character of the area.

6.2.4 The Council's standards require that amenity space provision should equate to 75% of the gross internal area of the proposed building. The application makes provision for 61% and therefore is below the Council's standards. This level of amenity space provision is not dissimilar to the level of amenity space that supports adjacent blocks of flats. Notwithstanding this, to address the fact that the development does not comply with standards and to address the fact that future residents would need to make use of existing areas of open space to meet their active recreational needs, the applicant has agreed to a contribution of £30,000 towards the enhancement of existing facilities or access thereto. This would be secured through a S106 Agreement.

6.2.5 In addition, each flat at first floor level and above would be provided with at least two good sized usable balconies with the larger 4 bed units having the benefit of larger balconies to meet the passive needs of residents and provide access to some outside space. The ground level amenity space is largely provided to the front of the proposed building and ensures a setting consistent with the character of the area.

6.2.6 The building is designed to reflect the prevailing character of the area in terms of its elevational treatment and this is considered acceptable.

### 6.3 Housing Mix

6.3.1 In terms of variety of housing mix, the development of 9 units is relatively modest and therefore it would be difficult to achieve complete compliance with the Council's preferred housing mix, as set in Core Policy 5. However, the Strategic Housing Market Assessment that provided the evidence base for this policy identifies the greatest need in market housing to be for 3 bed + units. This application includes provision for 2 x 4 bed units. Although these are located on the upper floors, they are large units which would provide good sized family accommodation with access to balconies and or roof top amenity space.

### 6.4 Access, traffic and parking

6.4.1 The access arrangements into the site are considered acceptable, with appropriate visibility and an acceptable gradient to the basement car park. The level of parking proposed at 1.3 spaces per unit is in accordance with London Plan standards. In addition, 2 visitor spaces are proposed at surface level. Notwithstanding the objections raised by local residents on traffic, access and parking grounds, it is considered that the development would not give rise to conditions prejudicial to the free flow and safety of vehicles using the adjoining highways.

### 6.5 Sustainable Design and Construction

6.5.1 The development is to achieve a Code 3 for Sustainable Homes, in line with Core Policy 4. A condition is recommended to secure this and require the submission of the necessary certification.

6.5.2 The development presently does not achieve all Lifetime Homes Standards. However, this can be resolved with amendments to the internal layout and a condition is recommended requiring this to be undertaken to ensure compliance as required by London Plan policy 3A.5 and Core Policy 4.

6.6 Impact on trees

- 6.6.1 In order to achieve appropriate disabled access to the building, the development requires the removal of the Sweet Chestnut to the site frontage, the subject of a Tree Preservation Order. Moreover, it should be noted that consistent with adjoining developments, the site level is considerably above pavement level.
- 6.6.2 The Arboricultural Report submitted with the applicant confirms that the tree is growing out of a raised bed and this now has a full height crack in the retaining wall adjacent to the footway. The tree has evidence of bark splitting, cracking and flaking in the trunk. The Tree Officer supports the removal of the tree subject to a replacement being secured through a condition.

6.7 Impact on adjoining residents

- 6.7.1 No.31 Waverley Road (Willowside Court) to the north of the site comprises a three storey block of flats, containing 6 windows in its flank elevation facing the application site; two windows to each floor serving bathrooms and kitchens. The conditions of the planning permission for the Willowside Court development required that these windows be obscure glazed.
- 6.7.2 The existing chalet bungalow on the application site is sited on the common boundary with Willowside Court and this has an impact on the flank windows to the ground and first floor flats. The proposed development would introduce a three storey elevation but at a distance of 2.3m from the flank wall of Willowside Court. The impact of this on the ground and first floor flats is likely to be similar to the existing situation. The 2<sup>nd</sup> floor flat presently stands above the height of the bungalow roof and therefore is not unduly affected by it. The proposed development would certainly have a greater impact. However, given the position of the windows in the flank in relation to the proposed building, which step in considerably from the boundary at a point just past the first window and given these windows serve non-habitable accommodation and are obscure glazed, the development is considered acceptable in terms of its impact on the amenities of the occupiers of this property in terms of light and outlook. No windows are proposed in the flank elevation of the building adjacent to Willowside Court and therefore the development would not give rise to any loss of privacy.
- 6.7.3 The adjacent block to the Crescent Road frontage, Glenview Lodge, is a ¾ storey block of flats with no windows in the flank elevation. The development would not have any undue impact on the amenities of the occupiers of this block in terms of light or outlook. The development does include provision for windows and balconies on the rear elevation facing the rear garden of Glenview Lodge. However, given this is a communal garden, and given a separation distance of approximately 11m is achieved, it is considered that the development would not result in any undue loss of privacy.
- 6.7.4 The flatted developments opposite the application site are separated by the existing roads. Given this and the position of the proposed block, respecting existing building lines, it is considered that the development would not have an undue impact on the amenities of the occupiers of these blocks.



6.7.5 Concerns have been raised by nearby residents about noise and disturbance. The development of the site for flats is not likely to give rise to undue noise and disturbance once completed. An element of noise and disturbance is inevitable during the construction process but where unreasonable can be addressed through other statutory controls.

6.7.6 Concern about the impact of the development on the foundations to adjoining blocks would be addressed through Buildings Regulations and/or The Party Wall Act.

6.7.7 Issues regarding access for future maintenance are not material to the consideration of this application.

## 6.8 S106 Agreement

6.8.1 A S106 Agreement is required to secure the education and open space/access contributions referred to above.

## 7 **Conclusion**

7.1 In conclusion the development of the site as proposed is considered acceptable in the context of the area and having regard to the amenities of the occupiers of adjoining and nearby properties. Accordingly, it is recommended that planning permission be granted for the following reasons:

- 1 The proposed development has appropriate regard to the character of the area and the amenities of the occupiers of adjoining and nearby properties. In this respect the development complies with Core Strategy policy 30, Unitary Development Plan policies (II)GD3 and (II)H8 and London Plan policies 4B.1 and 4B.8.
- 2 The development makes appropriate provision for car parking and will not give rise to conditions prejudicial to the free flow and safety of traffic using the adjoining highway, including pedestrian traffic. In this respect the development complies with Policies (II)GD6, (II)GD8 and (II)T13 of the Unitary Development Plan and London Plan policy 3C.23

## 8 **Recommendation:**

8.1 That subject to the satisfactory completion of a S106 Agreement to secure the contribution referred to in this report, planning permission be GRANTED subject to the following conditions:

- 1 C07 Details of materials
- 2 C09 Details of hard surfacing
- 3 C11 Details of enclosure
- 4 C14 Details of access and junction
- 5 C16 Private vehicles only – parking areas
- 6 C17 Details of landscaping
- 7 C18 Details of tree protection
- 8 C19 Details of refuse storage
- 9 C22 Details of wheel cleaning
- 10 Before the development hereby permitted commences an initial design stage assessment shall be carried out by an accredited assessor for the Code for Sustainable Homes and an interim

certificate confirming compliance with at least level 3 of the Code shall be submitted to and acknowledged in writing by the Local Planning Authority. The dwellings shall not be occupied until a final Code certificate of compliance has been issued.

Reason: To ensure that the development is built in accordance with the Code for Sustainable Homes

- 11 Notwithstanding the floor plans submitted, development shall not commence until floor plans have been submitted to and approved by the Local Planning Authority that demonstrate compliance with the Lifetime Homes Standards. The development shall be completed in accordance with the approved plans prior to occupation.

Reason: In order to ensure compliance with Core Strategy Policy 4 and London Plan policy 3A.5.

- 12 C59 Cycle parking

- 13 Notwithstanding the drawings submitted, the proposed vehicle access to the basement car park shall not exceed 4.9m in width.

Reason: In the interests of highway safety.

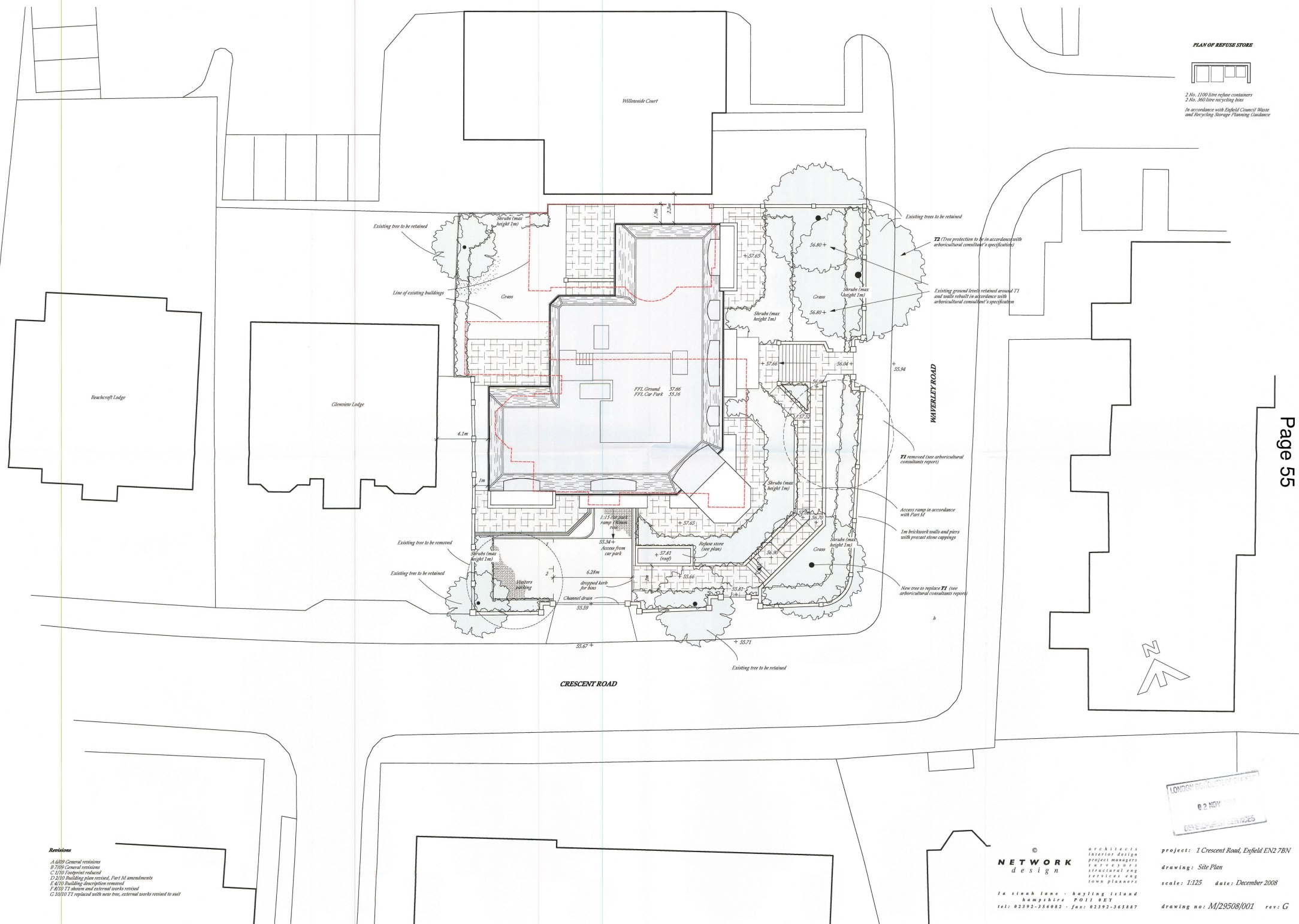
- 14 The development shall not be occupied until the existing redundant points of access to the site have been closed and the footway reinstated.

Reason: To confine vehicles movements to permitted points of access, to enable additional kerbside parking to the roadway and to improve the condition of the adjacent footway.

- 15 C51a Time Limited Permission



2 No. 1100 litre refuse containers  
2 No. 260 litre recycling bins  
In accordance with Enfield Council Waste and Recycling Storage Planning Guidance



- Revisions**
- A 6/09 General revisions
  - B 2/10 General revisions
  - C 1/10 Footprint reduced
  - D 2/10 Building plan revised, Part M amendments
  - E 6/10 Building description removed
  - F 6/10 T1 above and external works revised
  - G 10/10 T1 replaced with new tree, external works revised to suit

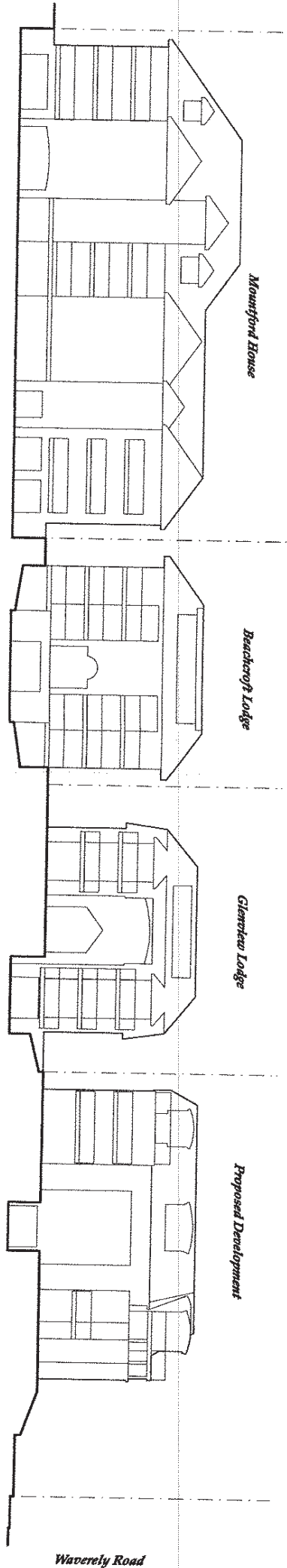
**NETWORK**  
design

architects  
interior design  
project managers  
surveyors  
structural engineers  
services engineers  
town planners

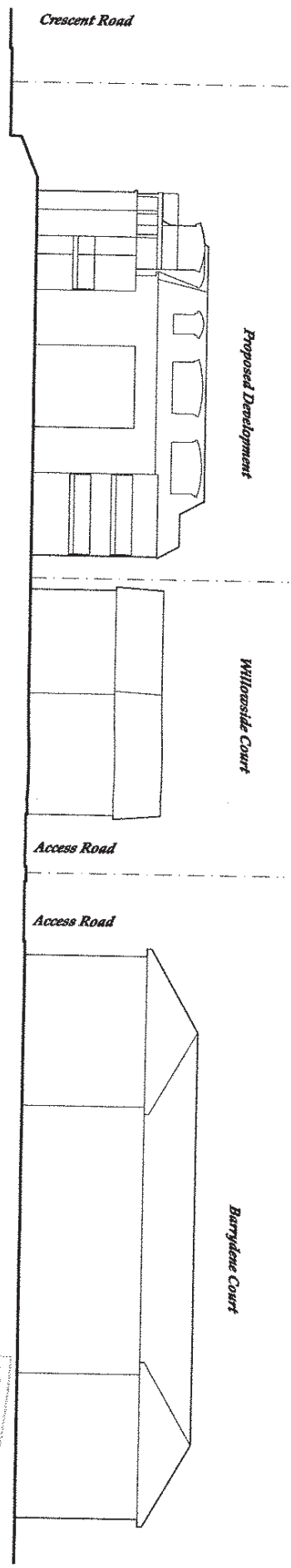
in stanh lone · hayling island  
hamphshire · PO13 8EY  
tel: 02392-356882 · fax: 02392-365887

LONDON POLICE OFFICE STREET  
02 NOV 2010  
DEVELOPER SERVICES

project: 1 Crescent Road, Enfield EN2 7BN  
drawing: Site Plan  
scale: 1:125 date: December 2008  
drawing no: M/29508/001 rev: G



STREET VIEW FROM CRESCENT ROAD



STREET VIEW FROM WAVERLEY ROAD

LONDON BOROUGH OF ENFIELD  
 13 SEP 2010  
 07:00:00

**Revisions**

A 8/10 Sep introduced into roof profile on Waverley Road elevations

**NETWORK**  
 design

architects  
 interior design  
 project managers  
 surveyors  
 structural eng  
 services eng  
 town planners

1a sinah lane · Hayling island  
 Hampshire · PO11 0EY  
 t: 02592-365887  
 e: network\_design@ntlworld.com

project: 1 Crescent Road, Enfield

drawing: Sheet Views

scale: 1:300 date: March 2010

drawing no: AN/2010/002

**No.1 CRESCENT ROAD**  
 ~  
**Proposed New Development**



**WAVERLEY ROAD ELEVATION**



**WEST ELEVATION**



**CRESCENT ROAD ELEVATION**



**NORTH ELEVATION**

13 SEP 2008  
 DESIGN SERVICES

**Revisions**  
 3/08 A Elevation design revised  
 6/08 B Roof profile revised for roof terrace  
 7/08 C Down to lower added  
 10/08 D Reduced to 3 flats  
 1/10 E General revisions  
 2/10 F Day revised  
 4/10 G Boundary revised  
 8/10 H Roof profile revised

©  
**NETWORK**  
 design

architects  
 interior design  
 project managers  
 structural eng  
 services eng  
 town planners

project: 1 Crescent Road, Enfield EN2 7BN

drawing: Elevations

scale: 1:100 date: December 2008

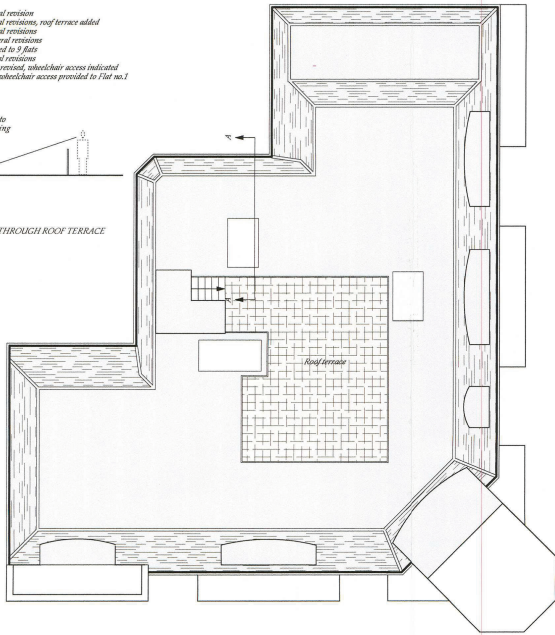
1a vinci lane - hilling island  
 Hampshire. PO11 9EZ  
 tel: 02392-356082 · fax: 02392-365887

drawing no: M/29508/003 rev: H

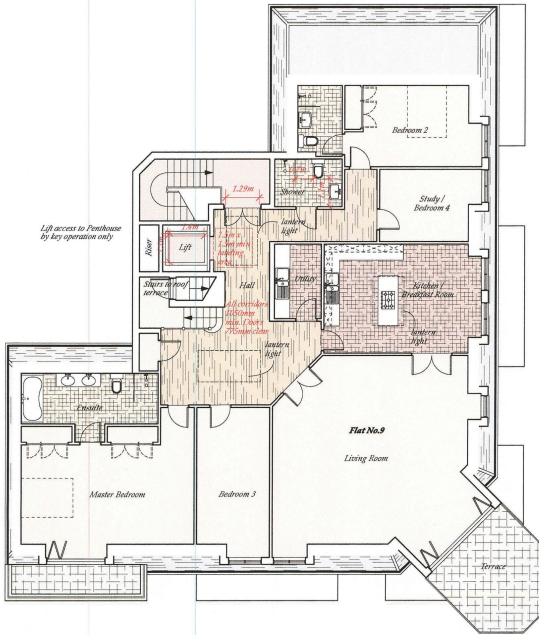
**Revisions**  
 A 4/09 General revision  
 B 2/09 General revisions, roof terrace added  
 C 7/09 General revisions  
 D 10/09 General revisions  
 E 1/10 Reduced to 9 flats  
 F 3/10 General revisions  
 G 8/10 Flat 9 revised, wheelchair access indicated  
 H 10/10 Full wheelchair access provided to Flat no.1

Terrace set back to prevent overlooking

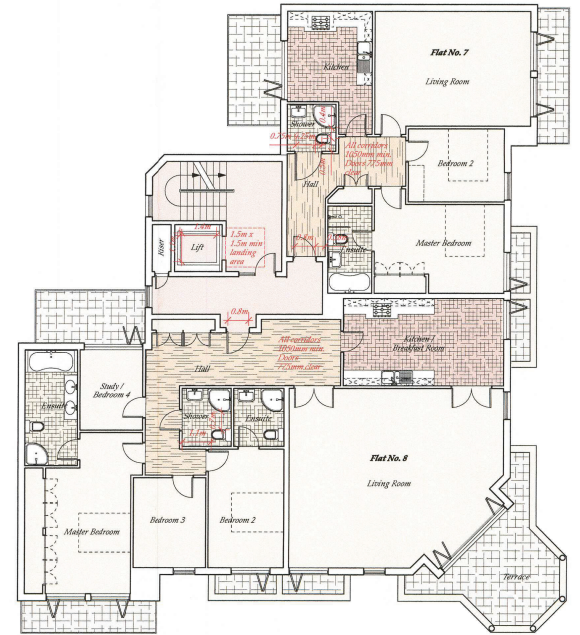
SECTION A - A THROUGH ROOF TERRACE



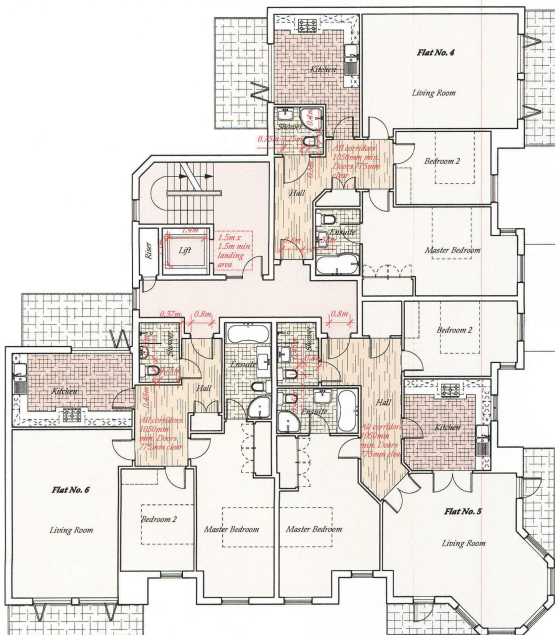
**ROOF PLAN**



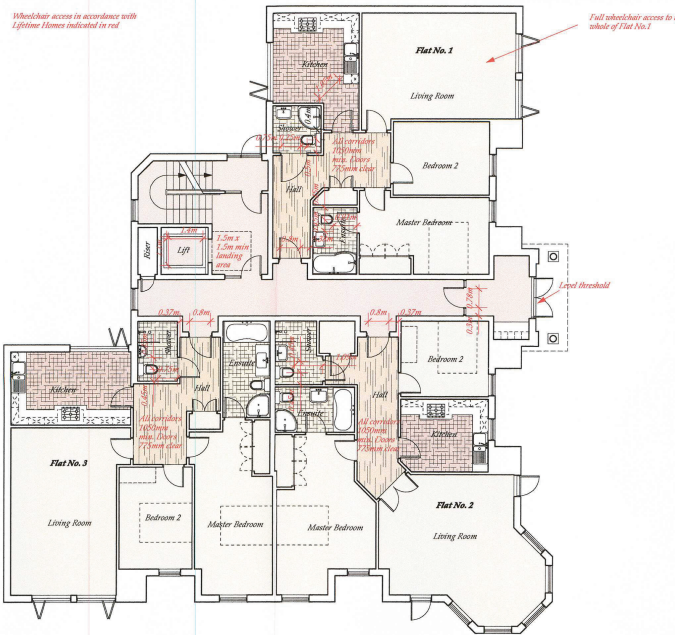
**PENTHOUSE**



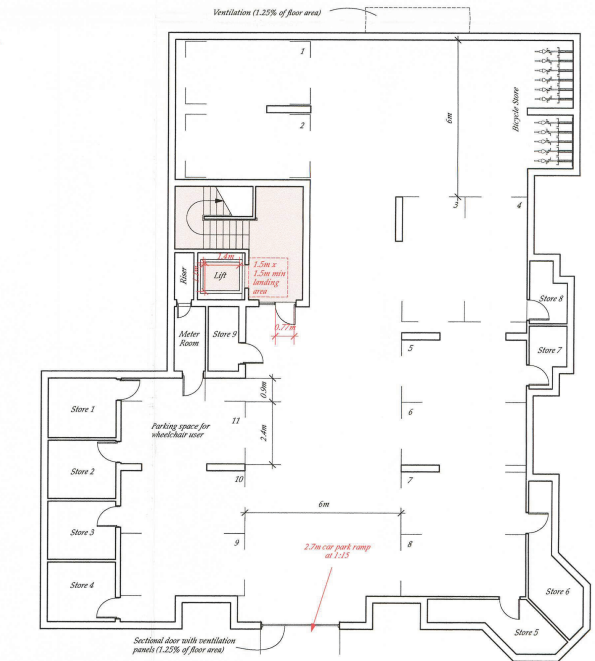
**SECOND FLOOR**



**FIRST FLOOR**



**GROUND FLOOR**



© architects interior design project managers  
**NETWORK design**  
 In a small lane, hazy island Hampshire, PO21 0JY  
 tel: 02392-356082 · fax: 02392-363887  
 project: 1 Crescent Road, Enfield EN2 7BN  
 drawing: Floor Plans  
 scale: 1:100 date: December 2008  
 drawing no: M/29508/002 rev: H

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

**Date :** 16<sup>th</sup> December 2010

**Report of**

Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Mr S. Newton Tel: 020 8379 3851

**Ward:** Highlands

**Application Number :** TP/10/0491

**Category:** Dwellings

**LOCATION:** 28 and 28a, SLADES HILL, ENFIELD, EN2 7EE

**PROPOSAL:** Redevelopment of site to provide a part 2-storey, part 4-storey block of 9 self contained flats (6 x 3-bed & 3 x 2-bed) with roof terrace, balconies to front and rear and accommodation and parking in basement with access to Slades Hill.

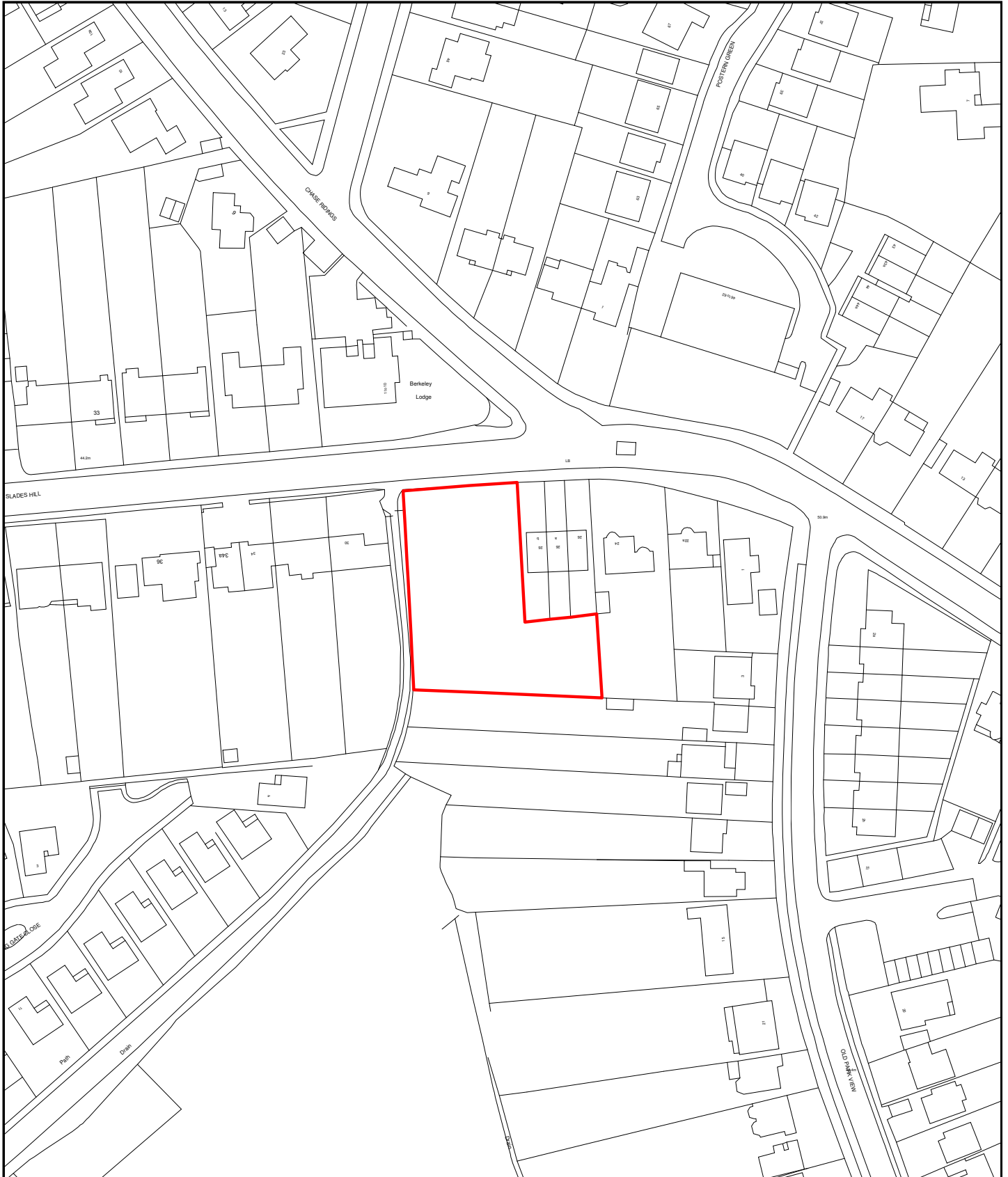
**Applicant Name & Address:**

Magnacrest Ltd  
Commonwood House,  
118, Penn Road,  
Hazelmere,  
Bucks,  
HP15 7NB

**Agent Name & Address:**

Jeremy Stephens,  
Stephens Design Associates  
The Old Post Office Stores  
Cottered  
Buntingford  
Hertfordshire  
SG9 9QL

**RECOMMENDATION:** That planning permission be **GRANTED** subject to subject to the securing of a Unilateral Undertaking for an education contribution as outlined in section 4.2 of this report and subject to conditions:



### Development Control



Scale - 1:1250  
Time of plot: 08:07

Date of plot: 03/12/2010



## **1. Site and Surroundings**

- 1.1 The joint application site formerly comprised a pair of 2-storey semi-detached dwellings on the southern side of Slades Hill, opposite the junction with Chase Ridings. The dwellings have however been demolished and the site is now vacant and enclosed by hoardings.
- 1.2 The roadway forming Slades Hill slopes downwards in a general east to west direction. In addition, the plots slope downwards in a north to south direction away from the road. The combined width of the frontage with Slades Hill is approximately 27m, it has a depth of approximately 50m, and forms an L-shape as it extends along the rear of Nos.26-26b to adjoin the boundary with No.24.
- 1.3 Each of the former dwellings were served by their own drives and access directly onto Slades Hill. The hard standing in front of No.28 was steeply formed and was able to accommodate several vehicles however, it was difficult for vehicles to exit the site in a forwards gear. No.28a was served by a large area of level hard standing and a double attached garage. There is a bus stop directly outside of what was No.28a.
- 1.4 Immediately to the east of the site are Nos.26, 26a & 26b Slades Hill, a 3-storey block with rooms in the mansard roof, integral garages on the ground floor, and blank flank walls. No.30 Slades Hill, an extended 2-storey semi-detached dwelling is located to the west but separated from the application site by a public footpath. The three flank windows at first floor level are all of obscured glazing.
- 1.5 The surrounding area is predominantly residential, containing a variety of dwelling types and styles, including purpose built flats. Opposite the application site is Berkeley Lodge, a 3-storey purpose-built block with rooms in the roof and with balconies at the front and side. This development dominates views from the public footpath running between the application site and No.30.
- 1.6 North-east of the site is Nos.46-62 Postern Green, a 2-storey flat development. Number 7 Slades Hill has been developed in accordance with the planning permission granted under reference TP/06/0280 for a 2-storey block of 2-bed flats with accommodation in the roof space. There are several other flat developments in the immediate vicinity.
- 1.7 A Willow tree, protected by a preservation order, located at the rear of the site near to the boundary with No.24 is the only significant tree of note within the site.

## **2. Proposal**

- 2.1 Planning permission is sought for the redevelopment of site to provide a part 2-storey, part 4-storey block of 9 self contained flats (5 x 3-bed & 4 x 2-bed) with roof terrace, balconies to front and rear and accommodation and parking in basement with access to Slades Hill.

- 2.2 The proposed building will have a maximum width of approximately 21.6m, maximum rearward projections of 26.4m at basement level, 24m at ground floor level, 22m at first floor level and 17.4m at second floor level.
- 2.3 When viewed from the Slades Hill frontage, the height to eaves level will vary from 5.6m at its eastern end to 6.4m at its western end. Similarly, the ridge height will vary from a minimum of 8.4 to 9.8m respectively. When viewed from the rear (south), due to the change in ground levels, eaves height will be approximately 9.6m and the height to the ridge will be approximately 12m.
- 2.4 Parking for x11 vehicles, inclusive of x1 disability bay will be provided within the basement. An additional two parking bays will be provided at surface level near the south eastern corner of the site for visitors and to also serve as a potential turning head when necessary.
- 2.5 Cycle parking is proposed within the basement for x12 bicycles.

### **3. Relevant Planning Decisions**

- 3.1 Outline planning permission (ref: TP/89/0826) for the redevelopment of the site (inclusive of 5 Old Park View) by the erection of a 3-storey block of 15 two-bedroom flats with vehicular access off Old Park View access road and parking facilities was refused planning permission in October 1989.
- 3.2 Planning permission (ref: TP/07/2355) was granted in January 2008 for the redevelopment of site to provide a 2-storey block of 9 self contained flats (comprising 8 x 2-bed and 1 x 1-bed) involving rooms in roof, balconies at rear first floor and roof level and undercroft access to parking at rear.
- 3.3 An application for the extension of time to implement the 2008 approval was granted in September 2010.

### **4. Consultations**

#### **4.1 Statutory and non-statutory consultees**

##### *4.1 Traffic & Transportation*

The following observations have been received:

- Cycle parking provision has been increased to 12 spaces, this is acceptable.
- Visibility splays (2m x 2m) for emerging vehicles to see pedestrians have now been confirmed and are acceptable.
- It has been confirmed that the basement parking is to be level & hence is acceptable in terms of wheelchair access to the lift.
- The proposed turning head is substandard (only 14m) and will not allow emergency vehicles to reverse safely within the site (according to the London Fire standards a minimum turning circle for pump appliances between kerbs should be 16.8m and between walls 19.2m). As it is not clear what size of fire vehicles will be likely to access the site the applicant is advised to contact the London Fire Brigade and provide a written confirmation of acceptance (this will be secured by a condition).

- It is not clear what sort of a refuse collection arrangement is proposed? The submitted drawing shows two bin enclosures: one in the basement car park (this is in acceptable location for residents however is not accessible for refuse collectors) and one from Slades Hill (this location is not acceptable as it is too remote for residents and will block the adjacent bus stop). Although an infrequent occurrence, where the waste collection operatives required to transfer the containers between the vehicle and the bin storage area, the duration of stay for the waste vehicle could be such that it causes an obstruction and delays on Slades Hill.
- The proposed disabled bay should be 3.3m wide however it appears to be reduced by the nearby cycle storage.

#### 4.2 *Education*

It is advised that the scheme will produce an average of 1 additional primary aged pupil a year each equating to a contribution of £13,115. Secondary yield is negligible for both.

#### 4.3 *Thames Water (TW)*

The following has been advised:

- There are public sewers crossing the site therefore any building within 3m of the public sewer would require the prior approval of TW;
- In relation to surface water drainage, the developer should ensure proper provision to ground, water courses or a suitable sewer. Connections to public sewers will require TW approval;
- There are no objections in relation to water infrastructure; and
- TW aims to provide customers with a minimum water pressure of 10m head and a flow rate of 9 litres per minute at the point of discharge from TW pipes. The developer should take this into account.

#### 4.2 Public

- 4.2.1 Six letters of objection (including one from the Western Enfield Residents Association and one from the Enfield Society) have been received in addition to a 13-signature petition for which Ward Members were notified. All or some of the following points have been raised by the objectors:

##### *Impact on amenity*

- Overshadowing to front and rear of 26b Slades Hill.
- Overlooking and loss of privacy from 1<sup>st</sup> floor and roof level balconies and terraces.
- Noise nuisance from increased comings and goings.
- Inhibit the view corridor of St Mary Magdalene church, a local landmark.
- To replace two properties with a 9 storey block on a road where this is becoming the norm will impact on the lives of local residents.
- Partially obscured windows to the western flank elevation create an invasion of privacy.
- Noise and smell from siting of refuse / recycle bins.

##### *Impact on character of area*

- The development will dwarf surrounding properties.
- It is out of proportion for that side of Slades Hill.
- By virtue of its size, scale, bulk and massing the proposed block is out of keeping with the existing street scene.
- Broken ridge line is an incongruous feature.

#### *Transportation*

- Car-parking facilities are inadequate for the number of households and occupants.
- Increased congestion in local streets since its not possible to park on Slades Hill.
- Vehicular access of the development exists directly on to Slades Hill immediately adjacent to an already busy and difficult junction.
- Limited sightlines for drivers exiting the property leading to an increase in accidents in what is already known as a local blackspot.

#### *Other matters*

- Despite objections to previous scheme, permission was still granted.
- A S106 should be sought to move front boundary line back by 2-3 feet so that TfL have no excuse to not erect a bus shelter.
- Potential structural damage to 26b as a result of proposed works.
- Security of 26b during construction in terms of fencing.
- Inability of local infrastructure to cope.
- An increase in private sector rental housing on Slades Hill, with some (Berkeley Lodge) being poorly managed.
- Berkeley Lodge being shown towering over the development is misleading.

4.2.2 A letter was received from Nick De Bois MP seeking assurances that the concerns of the residents will be taken into account and that the application is heard at Committee.

## **5. Relevant Policy**

### **5.1 Local Development Framework**

At the meeting of the full Council on 10<sup>th</sup> November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein, are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance:

- CP2: Housing supply and locations for new homes
- CP3: Affordable housing
- CP4: Housing quality
- CP5: Housing types
- CP20: Sustainable energy use and energy infrastructure
- CP21: Delivering sustainable water supply, drainage and sewerage infrastructure
- CP22: Delivering sustainable waste management

- CP25 Pedestrians and cyclists
- CP26: Public transport
- CP30: Maintaining and improving the quality of the built and open environment
- CP32: Pollution
- CP36: Biodiversity
- CP46: Infrastructure contributions

## 5.2 Saved UDP Policies

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

- (II)GD3 Aesthetics and functional design
- (II)GD6 Traffic
- (II)GD8 Site access and servicing
- (II)H8 Privacy
- (II)H9 Amenity Space
- (II)T16 Adequate access for pedestrians and people with disabilities
- (II)T19 Needs and safety of cyclist

## 5.3 The London Plan

- Policy 2A.1 Sustainability criteria
- Policy 3A.1 Increasing London's supply of housing
- Policy 3A.2 Borough housing targets
- Policy 3A.3 Maximising the potential of sites
- Policy 3A.5 Housing choice
- Policy 3A.6 Quality of new housing provision
- Policy 3C.22 Cycling strategy
- Policy 3C.23 Parking strategy
- Policy 3D.14 Biodiversity and nature conservation
- Policy 4A.1 Tackling climate change
- Policy 4A.2 Mitigating climate change
- Policy 4A.3 Sustainable design and construction
- Policy 4A.6 Decentralised Energy: heating, cooling and power
- Policy 4A.7 Renewable energy
- Policy 4B.1 Design principles for a compact city
- Policy 4B.3 Enhancing the quality of the public realm
- Policy 4B.5 Creating an inclusive environment
- Policy 4B.8 Respect local context and communities

## 5.4 Other Relevant Policy

- PPS1: Sustainable development
- PPS3: Housing
- PPS9: Biodiversity and Geological Conservation
- PPG13: Transport
- PPG24: Planning and Noise

Enfield Strategic Housing Market Assessment (2010)

## 6. Analysis

### 6.1 Principle

- 6.1.1 The principle of the redevelopment of the site for residential purposes is accepted.
- 6.1.2 In addition, there is an extant permission for the erection of a 2-storey block of 9 self contained flats (comprising 8 x 2-bed and 1 x 1-bed) with rooms in roof, balconies at rear first floor and roof level and undercroft access to parking at rear.

### 6.2 Impact on Character of Surrounding Area

#### *Density*

- 6.2.1 The assessment of density must acknowledge PPS3 and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities, although they must also be appropriate for the area. The site falls within an area with a PTAL (Public Transport Accessibility Level) rating of 3 (Table 3A.2), thereby suggesting that an appropriate level of density is 150-250hrph or 35-65 units per hectare (It should be noted that when the extant scheme was first considered, the PTAL was 2 and therefore suggested that an appropriate density threshold was 150-200hrph and the scheme generated 188hrph or 54.2 units per hectare).
- 6.2.2 The site area is 0.166ha and a total of 43 habitable rooms are proposed, equating to a site density of 259hrph or 54.2 residential units per hectare. In terms of habitable rooms, the scheme is marginally above the suggested range however in terms of the number of units, the scheme is within the suggested range. On balance, it is considered that in terms of density, the scheme would prove difficult to resist.

#### *Site Coverage / Scale*

- 6.2.3 Appendix A1.7 of the Unitary Development Plan requires that the amenity space provision for flats should be of an area equal to 75% of the gross internal area (GIA) of the building, of which no more than 15% should be provided in the form of balconies and roof terraces. Amenity space should provide a visual setting for the development within the general street scene as well as an area for passive or active recreation.
- 6.2.4 The GIA of the proposed building is approximately 1177sqm. The amenity space provision has been calculated as being approximately 890sqm (including 272.6sqm of balcony space/ roof terrace / green roof) or approximately 75% of the GIA. The proposed amenity space provision would therefore meet with the minimum standards of the UDP and is considered to be acceptable.
- 6.2.5 The overall scale of the development is considered to be commensurate with the size of the plot as it is considered to sit comfortably within it. In comparison to the extant scheme, the proposed ridge height near to No.26b is at the same level. On the opposite flank, the proposed ridge level is approximately 0.6m higher. This is considered marginal and is mitigated by

that side of the building being sited further away from the boundary with the footpath.

*Design*

- 6.2.6 The design of the building is considered acceptable, with the articulation of the roof and frontage providing some visual interest within the street scene. The front building line respects that of the adjacent developments and that of the extant scheme.

*Height / Massing / Proximity to Boundaries*

- 6.2.7 These elements, when compared with the extant scheme are similar or are improved upon. For example, as discussed in paragraph 6.2.5, it is acknowledged that although there is a slight increase in ridge height on the western elevation, the building is much further away. In addition, there is no greater impact in terms of massing from the proposed scheme than there was in relation to the extant permission.

6.3 Impact on Neighbouring Properties

*Distancing*

- 6.3.1 PPS1 advises that LPAs should not attempt to impose architectural styles or particular tastes, and that design policies should concentrate on guiding factors such as the layout of the new development in relation to neighbouring buildings.
- 6.3.2 In terms of distancing to boundaries, the proposed building will be sited approximately 4.2m from the western boundary running along the public footpath with a further 4m to the flank wall of No.30 Slades Hill. This separation is considered sufficient to retain a sense of openness, particularly as the proposed development significantly increases the bulk and massing near to that public footpath boundary. This compares more favourably than the extant scheme which would be sited 1.5m from the footpath boundary.
- 6.3.3 The eastern flank wall of the proposed building will be between 1.2m and 1.6m from the common boundary with No.26b with a further distance of approximately 1.2m to the flank wall of that adjoining development. This does not differ from the extant scheme.
- 6.3.4 The rear of the building, similar to the extant scheme, is stepped and largely reflects the approved rear building line. However, it is noted that the central element at first floor level does project a further 1.4m but maintains what is considered to be acceptable level of distancing to the flanking boundaries of approximately 8m on either side.

*Loss of Light / Overshadowing / Outlook*

- 6.3.5 Whilst the proposed structure projects further into the plot than the extant scheme, it does not compromise either the 45-degree or 30-degree line taken from the nearest affected windows on the adjoining properties at ground floor level and the upper floor level respectively. It is therefore considered that with regards to this element of the scheme, the proposed development would not

unduly impact on light or result in overshadowing or loss of outlook for the occupiers of those adjacent developments.

*Overlooking / Loss of Privacy*

- 6.3.6 Similar to the extant permission, rear balconies and terraces are proposed. The terrace on the ground floor is to be screened by a border hedge. Subject to securing the details of this element of landscaping (particularly in terms of height), this would provide a sufficient screen in order to restrict views towards the rear of 26b Slades Hill.
- 6.3.7 Privacy screens are to be provided for the rear balconies/ terraces on the upper floors on the eastern elevation. This is similar to the extant permission and would again be secured by way of a suitably worded condition.
- 6.3.8 The submitted plans show that the first floor windows on the western elevation are to be obscure glazed and fixed shut up to 1.5m above finished floor level. The principle of this is considered acceptable and would be secured by condition however the condition should be worded to state that they are fixed shut up to a height of not less than 1.7m as it is considered that this height will prevent any opportunity for overlooking. It is noted that the flank windows of No.30 are obscure glazed. An additional condition is suggested to ensure that the roof lights on this elevation are set not less than 1.7m above finished floor level.
- 6.3.9 In relation to the eastern flank elevation (towards No.26b), windows, including roof lights) would look directly onto the blank wall of that adjoining development, therefore it is not considered necessary to have these windows provided in obscure glazing or fixed shut.
- 6.3.10 The proposed green roof is to be access only for maintenance purposes. A condition is proposed to restrict it for this purpose and to have it physically separated from the remainder of the roof terraces to reinforce the fact that it is not for recreational purposes. It is therefore considered that this would not result in any loss of privacy and overlooking to the occupier of No.30 Slades Hill.
- 6.3.11 The remainder of the proposed roof terraces are set sufficiently away from the eastern flank boundary to not result in any overlooking and loss of privacy to the occupiers of No.26b Slades Hill. Views from the terraces are predominantly north over Slades Hill towards Chase Ridings or south towards the golf course.

6.4 Highway Safety

*Access and Traffic generation*

- 6.4.1 Pedestrian access from Slades Hill is 1.2m wide and set to slope down at maximum 1:14 gradient to a level threshold at the main communal entrance.
- 6.4.2 Pedestrian access to the rear (for those not having direct access from within individual units) is provided via common hall stairs and/or lift to the basement / lower ground floor and then out across rear vehicular turning area (max 1:20 gradient) or direct from Slades Hill along the vehicular access (which includes



speed calming features and pedestrian refuge margins and again has a maximum gradient of 1:20).

- 6.4.3 The scheme, like the extant permission, will reutilise an existing access point, for which there is no objection. A condition will be imposed to ensure that the redundant access point is reinstated.
- 6.4.4 For vehicular access and egress to Slades Hill 5.9m wide x 6.2m from back edge of pavement area is provided (6.0 m kerb radii indicated) to allow vehicles to pass before speed calming feature at transition to 3.5m (plus crossable margins = 4.0 metres overall clear width) running along the western flank elevation to further speed calming feature and pedestrian refuge / buffer area. Clear width is 5.05m and allows 2 way traffic / passing. After the access widens to 4.8m plus 250mm crossable margin (to lower ground floor unit 1 garden enclosing retaining wall) and turns eastwards at 6.7 metre internal radius and 11.75m external radius.
- 6.4.5 In relation to the turning head at the rear, a condition can be imposed to secure confirmation that the turning head is acceptable to the Fire Brigade. If it needs amending, this would potentially result in a slight net decrease in amenity space provision but that would not, on balance, be detrimental to the overall acceptability of the scheme.
- 6.4.6 It is noted that a bus stop currently straddles part of the existing access. This issue was also considered with the extant scheme whereby it was considered that moving the bus stop was not an option because it would only shift any potential issues further along the street. In addition, there is no suitable alternative location in the immediate vicinity. It was also considered that as the situation would be no worse than what formerly existed or from what was approved previously, this element of the scheme would be difficult to resist.

#### *Parking*

- 6.4.7 The proposed level of on-site parking, inclusive of disability provision and cycle parking provision is considered acceptable.
- 6.4.8 Whilst it is noted that the designated disabled bay is substandard in width, a condition could be imposed seeking a revised parking layout to take into account the necessary increase in width of the disability bay. This would result in the loss of one of the other parking bays however this would not be unacceptable because there would still be a total of 10 bays within the basement for residents.

#### 6.5 Housing Mix and Affordable Housing

- 6.5.1 The Strategic Housing Market Assessment demonstrates a shortage of houses of all sizes, particularly houses with three or more bedrooms across all sectors of the market.
- 6.5.2 The scheme is for 100% market housing and will provide 5x 3-bed units (55%) and 4x 2-bed units (44%). As the application was submitted well in advance of the adoption of the Core Strategy it would be unreasonable to now seek any form of contribution towards affordable housing.

- 6.5.3 It is considered that having regard to the proposed mix, which includes five 3-bed units, the scheme would be difficult to resist.

6.6 Sustainable Design and Construction

*Lifetime Homes*

- 6.6.1 The London Plan and Core Strategy confirm that all new housing is to be built to Lifetime Homes' standards. This is to enable a cost-effective way of providing adaptable homes that are able to be adapted to meet changing needs.
- 6.6.2 A Lifetime Home will meet the requirements of a wide range of households, including families with push chairs as well as some wheelchair users. The additional functionality and accessibility it provides is also helpful to everyone in ordinary daily life, for example when carrying large and bulky items. Lifetime Homes are not, however, a substitute for purpose-designed wheelchair standard housing. Many wheelchair users will require purpose-designed wheelchair housing. The provision of communal lifts is not essential to achieving Lifetime Homes standard because the standard can still be achieved if the communal stairs achieve the appropriate dimensional and specification requirements, and the features of each flat conform to other relevant criteria. However, all communal staircases, whether a lift is provided or not, must conform to Lifetime Homes specification.

There are concerns that elements of the scheme would result in it not achieving a 100% Lifetime Homes' rating and certain elements will make it difficult for wheelchair users. A condition is recommended to secure details of the scheme achieving Lifetime Home standards.

*BREEAM*

- 6.6.3 The application is not accompanied by a BREEAM Code for Sustainable Homes (Design Stage Pre-assessment Report), although it would appear that the scheme is aiming to achieve the minimum level 3 rating. This rating would be considered satisfactory but a condition is recommended to ensure that Design Stage Pre-assessment and Post-assessment reports are submitted to demonstrate this.

*Energy*

- 6.6.4 London Plan policy adopts a presumption that developments will achieve a reduction of emissions of 20% from site renewable energy sources, unless it can be demonstrated that this is not feasible. To this end, it has been concluded that the scheme would best be served by adopting photovoltaic (PV) technology using integrated tiles where possible and gas boilers.

*Drainage*

- 6.6.5 Surface water drainage strategy includes 'green roofs', together with water butts at each terrace & external amenity level, and pervious hard-landscaping materials and finishes. Discharged surface water drainage system to incorporate below ground storage vessel with pump attenuated outlets connected to existing public surface water drainage systems. Proposed foul drainage system will connect to the existing public foul sewer located in

Slades Hill. A condition is proposed to secure the details for the surface water drainage and the applicant will be advised of TW comments as outlined in section 4.1 of this report.

### *Ecology*

6.6.6 A pre-development tree survey has been submitted with the application, identifying the various trees within the site and adjoining properties. It also provides a methodology for establishing a root protection area around the trees on the site and the suggested protection zones. A condition is suggested to establish the root protection zones in accordance with Table 3 of the survey.

6.6.7 A further condition is suggested to seek biodiversity enhancements on the site, with such measures including plantings of native trees and bird & bat boxes. A further landscaping condition will be imposed.

### 6.7 S106

6.7.1 A Unilateral Undertaking to secure £13,115 for a primary school place, as advised by Education, is agreed to by the applicant.

### 6.8 Other Matters

6.8.1 Objectors have made reference to Policy (II)EN1 of the UDP and how it seeks to protect important views, with the supporting text making reference to St Mary Magdalene Church. The text also stated that for the purposes of the UDP, a high building is one that is materially larger than its immediate surroundings. The proposed development is not materially larger than the surrounding buildings in terms of its height but of significantly more relevance, Policy (II)EN1 is not a saved policy.

## 7. **Conclusion**

7.1 The current scheme is not too dissimilar to that previously approved and refinements in the overall design are considered to enhance the scheme further and improve physical relationships to neighbouring occupiers.

7.2 It is considered that planning permission should be granted for the following reasons:

1. The proposed development would contribute to increasing London's supply of housing and assist in meeting with the provision of family housing within the Borough, having regard to Core Policies 2 and 4, Policies 3A.1, 3A.2, 3A.3 & 4B.8 of The London Plan, and with PPS1: Delivering Sustainable Development, PPS3: Housing.
2. The proposed development due to its design, size and siting, does not detract from the character and appearance of the street scene or the surrounding area having regard to Policies (II)GD3 of the Unitary Development Plan, Core Policy 30, Policies 4B.1 and 4B.8 of the London Plan and PPS1: Delivering Sustainable Development.

3. The proposed development due to its design, size and siting, does not significantly impact on the existing amenities of the occupiers of adjoining properties in terms of loss of light, outlook or privacy and in this respect complies with Policies (II)GD3 and (II)H8 of the Unitary Development Plan, Core Policy 30, Polices 4B.1 and 4B.8 of the London Plan and PPS1: Delivering Sustainable Development.
4. Having regard to conditions attached to this permission, the proposal makes appropriate provision for access and parking, including cycle parking, and in this respect complies with Policies (II)GD6, (II)GD8 and (II)T19 of the Unitary Development Plan, Policies 3C.22 and 3C.23 of the London Plan and with PPG13.
5. The proposed development, by virtue of measures proposed and conditions imposed, will contribute to the mitigation of and adaptation to climate change, having regard to Core Policy 32, and with Policies 4A.1, 4A.3, 4A.4, 4A.5, 4A.6 and 4A.7 of the London Plan, and with PPS1: Delivering Sustainable Development.

## **8. Recommendation**

- 8.1 That planning permission be GRANTED subject to subject to the securing of a Unilateral Undertaking for an education contribution as outlined in section 4.2 of this report and subject to the following conditions:

1. C60 Approved Plans
2. C07 Details of Materials
3. C09 Details of Hard Surfacing  
The development shall not commence until details of the surfacing materials to be used within the development including footpaths, access roads and parking areas and road markings have been submitted to and approved in writing by the Local Planning Authority. The submitted detail shall also show, where in close proximity to retained trees, measures for the protection of tree roots. The surfacing and tree root protection measures shall be carried out in accordance with the approved detail before the development is occupied or use commences.

Reason: To ensure that the development does not prejudice highway safety and a satisfactory appearance and to ensure that the method of construction of hard surfaced areas does not adversely affect the health of the trees.

4. C10 Detail of Levels
5. C11 Details of Enclosure
6. C12 Details of Parking / Turning Facilities  
Notwithstanding the submitted plans, a revised car parking layout shall be provided prior to development commencing, for approval in writing by the Local Planning Authority, showing:
  - (i) a disabled parking bay within the basement car park that would meet with adopted standards;
  - (ii) confirmation that the surface level parking, which also serves as a turning head, is of sufficient size to allow emergency

vehicles to safely turn within the site and exit the site in a forwards gear.

The facilities shall then be provided in accordance with the approved details prior to occupation of the development and permanently maintained for those purposes.

Reason: To ensure that the development complies with Unitary Development Plan Policies and does not prejudice conditions of safety or traffic flow on adjoining highways.

- 7. C13 Details of Loading / Unloading / Turning Facilities
  - 8. C14 Details of Access and Junction
  - 9. C16 Private Vehicles Only – Parking Areas
  - 10. C17 Details of Landscaping (incl. terrace plantings)
  - 11. C18 Details of Tree Protection (refer. Table 3 of submitted tree survey)
  - 12. C19 Details of Refuse Storage & Recycling Facilities
- Notwithstanding the submitted plans, the development shall not commence until details of refuse storage facilities including facilities for the recycling of waste to be provided within the development, in accordance with the London Borough of Enfield – Waste and Recycling Planning Storage Guidance ENV 08/162, have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied.

Reason: In the interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets.

- 13. NSC1 Energy
- That prior to occupation of the development hereby approved, confirmation by a suitably qualified person shall be provided to the Local Planning Authority demonstrating that the minimum 20% CO2 reduction has been achieved throughout the development in accordance with the submitted 'Sustainability Audit'.

Reason: To demonstrate that the scheme will comply with the energy efficiency and sustainable development policy requirements of the London Plan and the Core Strategy.

- 14. C24 Obscured Glazing
- Notwithstanding the submitted plans, the glazing serving the first floor east and west elevations of the development indicated on drawing No. 08 012 01C shall be fixed shut up to a height of not less than 1.7m above finished floor level and in obscured glass with an equivalent obscuration as level 3 on the Pilkington Obscuration Range. The glazing shall not be altered without the approval in writing of the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

15. C25 No Additional Fenestration

16. NSC2 Roof Lights

Roof lights to be provided on the east and west elevations of the development shall be set not less than 1.7m above finished floor level.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

17. NSC3 Privacy Screens

Obscured-glazed privacy screens no less than 1.7m in height shall be fitted to the flank elevations of the first and second floor rear balconies / terraces as shown on Drawing No.08 012 01C, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to commencement of works beginning on site. The privacy screens shall be installed in accordance with the approved detail prior to occupation of the development.

Reason: To safeguard the privacy of the adjoining residential occupiers

18. NSC4 Restriction of Use of Green Roof

No part of the Green Roof hereby approved showing on Drawing No. 08 012 01C shall be used for any recreational purpose whatsoever. Access shall only be for the purposes of the maintenance of the property or means of emergency escape. The Green Roof shall be segregated from the approved recreational roof terraces by a physical barrier for which details shall be submitted to and approved in writing by the Local Planning Authority. The barrier shall be installed in accordance with the approved details prior to occupation of the development.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

19. C41 Details of external lighting

20. NSC5 External Plant, Fittings, Plumbing or Pipes

No external plant, fittings, plumbing or pipes other than those shown on the approved drawings shall be fixed to any external element of the buildings unless otherwise approved in writing by the Local Planning Authority in advance of any work being carried out.

Reason: To ensure a satisfactory appearance to the development and the visual amenities of the wider area.

21. NSC6 Construction Methodology

That development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:

- (i) a photographic condition survey of the roads, footways and verges leading to the site;
- (ii) details of construction access and associated traffic management to the site;

- (iii) arrangements for the loading, unloading and turning of delivery, construction and service vehicles clear of the highway;
- (iv) arrangements for the parking of contractors vehicles;
- (v) arrangements for wheel cleaning;
- (vi) arrangements for the storage of materials;
- (vii) hours of work.

The development shall be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment.

22. NSC7 Code 3

Evidence confirming that the development achieves a Code for Sustainable Homes rating of no less than Code Level 3 shall be submitted to and approved in writing by the Local planning Authority. The evidence required shall be provided in the following formats and at the following times:

- (a) design stage assessment, conducted by an accredited Code for Sustainable Homes Assessor and supported by relevant BRE interim certificate, shall be submitted at pre-construction stage prior to the commencement of superstructure works on site; and,
- (b) post construction assessment, conducted by and accredited Code for Sustainable Homes Assessor and supported by relevant BRE accreditation certificate, shall be submitted following the practical completion of the development and prior to the first occupation.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior approval of the Local Planning Authority.

Reason: In the interests of addressing climate change and to secure sustainable development in accordance with Core Policy 4 of the Core Strategy, the strategic objectives of the Council and Policies 4A.1, 4A.2, 4A.3 and 4A.9 of the London Plan as well as PPS1.

23. NSC8 Lifetime Homes

Prior to development commencing, details shall be provided to the Local Planning Authority confirming that the scheme will meet with 100% Lifetime Homes' standards.

Reason: To provide for future adaptability of the housing stock

24. NSC9 SUDS

No development shall take place until an assessment has been carried out into the potential for disposing of surface water by means of a sustainable drainage (SUDS) scheme, in accordance with the principles of sustainable drainage systems set out in national planning

policy guidance and statements, and the results of that assessment have been provided to the Local Planning Authority. The assessment shall take into account the design storm period and intensity; methods to delay and control the surface water discharged from the site; and measures to prevent pollution of the receiving groundwater and/or surface waters.

Reason: To ensure that the proposal would not result in an unacceptable risk of flooding from surface water run-off or create an unacceptable risk of flooding elsewhere.

25. NSC10SUDS 2

Surface water drainage works shall be carried out in accordance with details that have been submitted to, and approved in writing by, the Local Planning Authority before the development commences. Those details shall include a programme for implementing the works. Where, in the light of the assessment required by the above condition, the Local Planning Authority concludes that a SUDS scheme should be implemented, details of the works shall specify:

- i) a management and maintenance plan, for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime; and
- ii) the responsibilities of each party for implementation of the SUDS scheme, together with a timetable for that implementation.

Reason: To ensure implementation and adequate maintenance to ensure that the proposal would not result in an unacceptable risk of flooding from surface water run-off or create an unacceptable risk of flooding elsewhere.

26. NSC11 Biodiversity Enhancements

No development shall commence until an ecological assessment has been submitted to the Local Planning Authority for approval in writing. The report shall include the following information:

- i. A description of the habitats on the site;
- ii. An assessment of the site's potential to host rare or protected species;
- iii. A method statement detailing how the site will be cleared in order to ensure that any ecological features are not adversely impacted upon;
- iv. Details of proposed ecological enhancements to include native and wildlife friendly landscaping and bird and bat boxes;

The report is to be written by an appropriately qualified ecologist (eg a member of the Institute of Ecology and Environmental Managers). All agreed measures shall be undertaken as approved and written confirmation shall be submitted to the local planning authority.

Reason: To ensure that the development does not have an adverse impact on biodiversity and leads to enhancement in accordance with PPS9.

27. NSC12 Ecological Management Plan



No development shall commence until an ecological management plan for the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not have an adverse impact on biodiversity.

28. NSC13 Redundant Crossover

The development hereby approved shall not commence until the existing vehicle access point that served No.28 Slades Hill has been replaced with a footway crossover constructed in accordance with the standards adopted by the local highway authority.

Reason: In the interests of highway safety and highway amenity.

29. NSC14 Fire Brigade Access

The development hereby approved shall not commence until a confirmation from the Fire Brigade agreeing with the proposed means of access to the building has been submitted to and approved in writing by the local highway authority.

Reason: In the interests of highway safety and highway amenity

- 30. C59 Details of Cycle Parking
- 31. C51A Time Limited Permission

Directive 1: You are advised that there are public sewers crossing the site and that any works within 3m of the sewers will require the approval of Thames Water. In addition, where the developer is proposing to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Please contact Thames Water Developer Services on 0845 850 2777, quoting their DTS Reference: 24288.

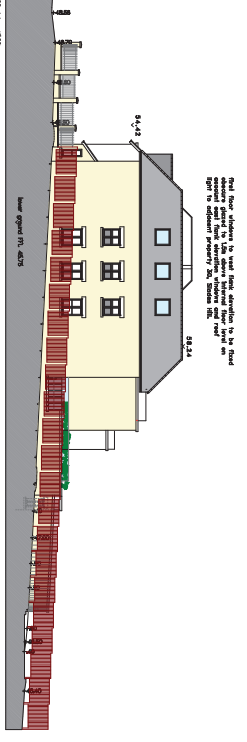
Directive 2: You are advised that Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take into account this minimum pressure in the design of the proposed development.



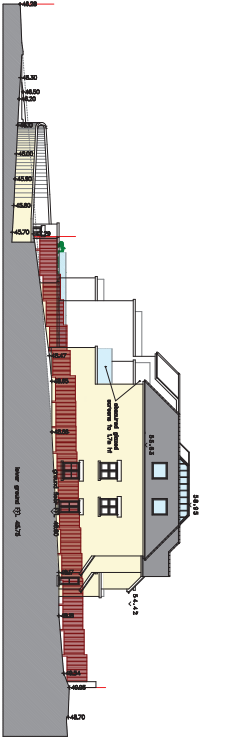
Slades Hill street elevation



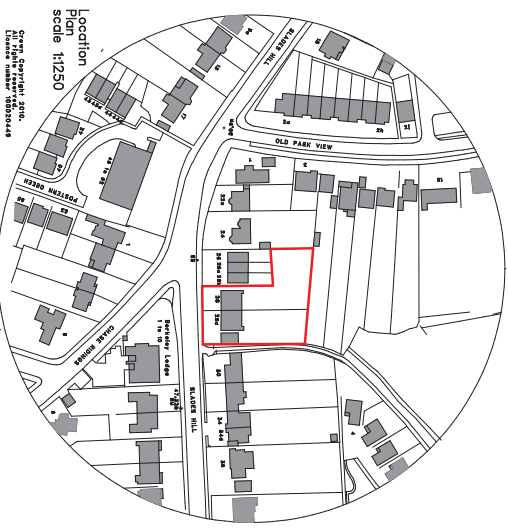
Rear (south east) elevations



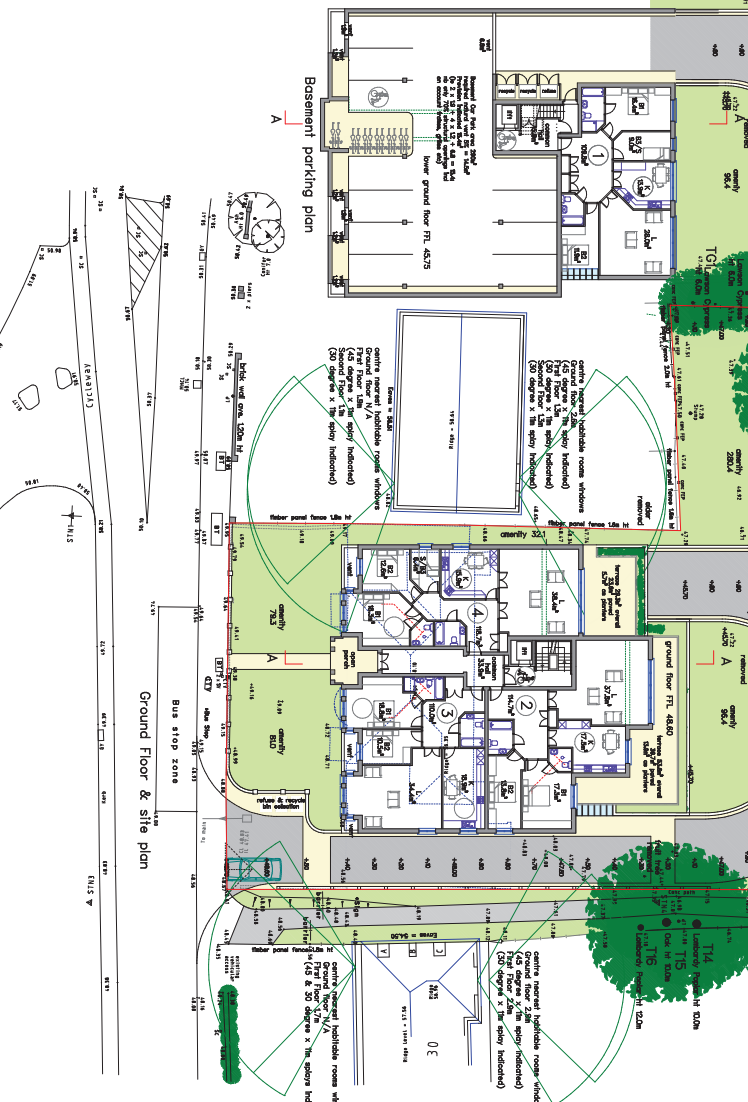
Flank (south west) elevation



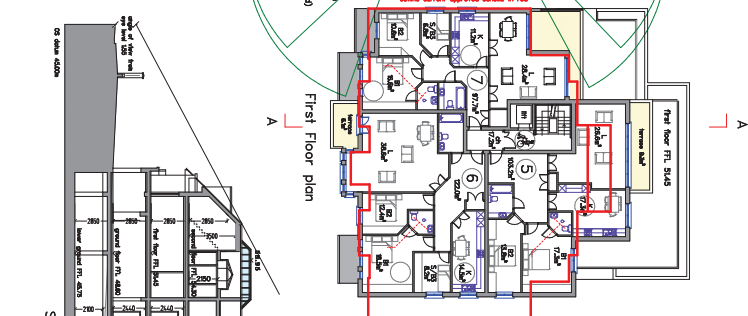
Flank (north east) elevation



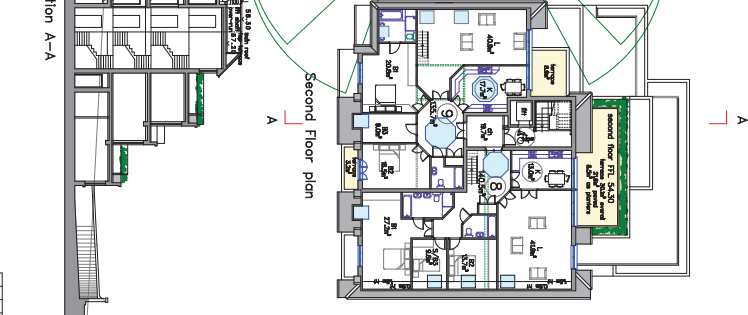
Location Plan Scale 1:1250



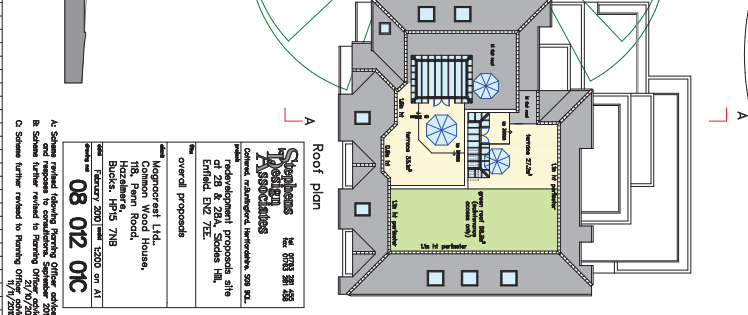
Ground floor & site plan



First Floor plan



Second Floor plan



Roof plan

Atkinson Architects Ltd. 08 012 012 012

A: Scheme prepared for Planning Officer... B: Scheme further revised to Planning Officer... C: Scheme further revised to Planning Officer...

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 16<sup>th</sup> December 2010

**Report of**

Assistant Director, Planning & Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Mr R. Lancaster Tel: 020 8379 4019

**Ward:**

Cockfosters

**Application Number : TP/10/1128**

**Category:** Other Development

**LOCATION: 73, TRENT GARDENS, LONDON, N14 4QB**

**PROPOSAL:** Erection of a part 3 -storey, part 2-storey rear extension incorporating dormer windows to front, both sides and rear to provide 44 additional bedrooms to an existing home for the elderly with communal areas and an additional 8 car parking spaces.

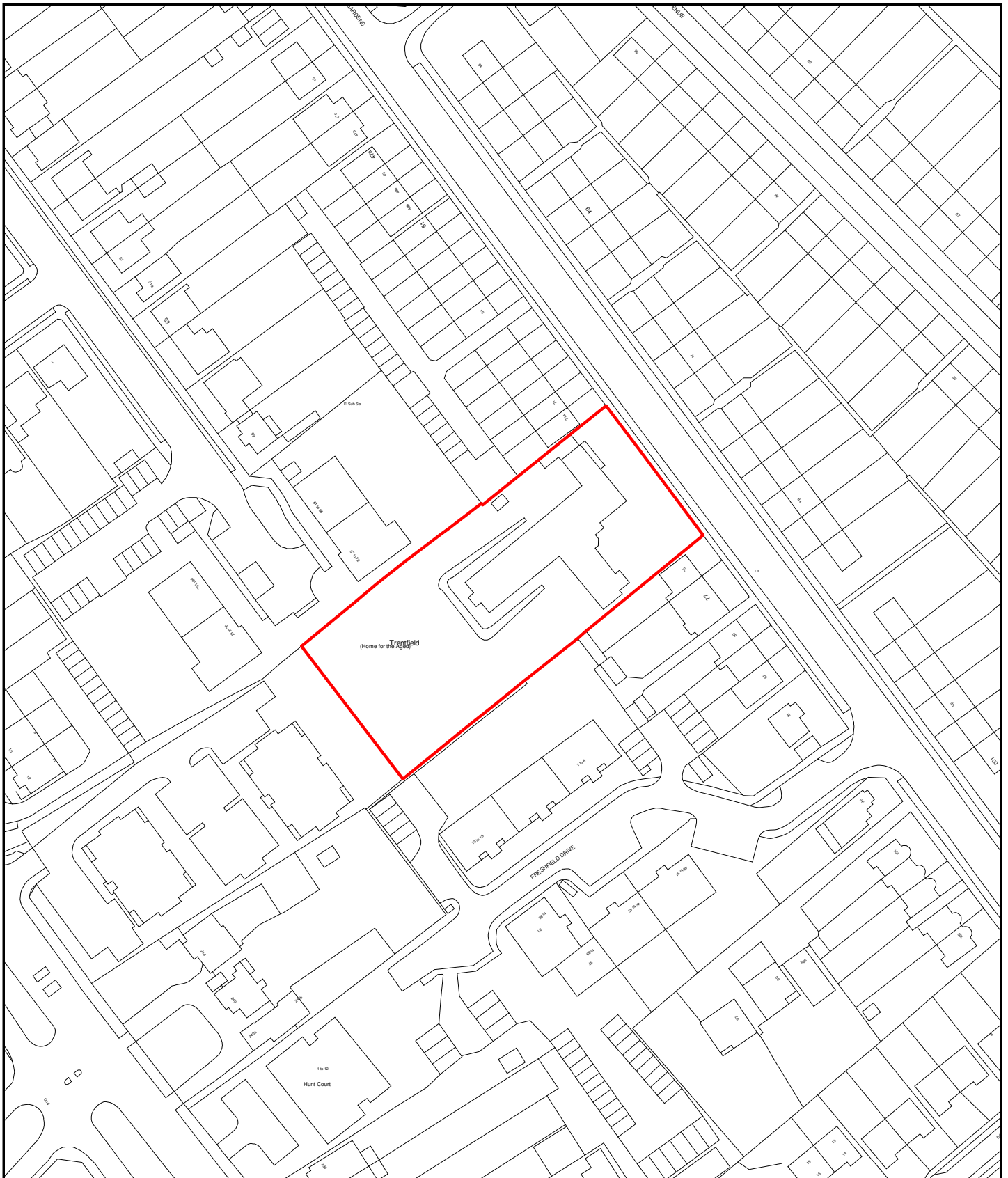
**Applicant Name & Address:**

Melis Ourris,  
Autumn Gardens  
73 Trent Gardens,  
London,  
N14 4QB

**Agent Name & Address:**

Peter Kidger,  
Tasou Associates  
4, Amwell Street  
London  
EC1R 1UQ

**RECOMMENDATION:** That planning permission be **GRANTED** subject to conditions.



### Development Control



Scale - 1:1250  
Time of plot: 08:13

Date of plot: 03/12/2010

## **1.0 Site and Surroundings**

- 1.1 The application site, 0.35 hectares, fronts onto Trent Gardens. Access is gained by two crossovers from Trent Gardens at either end of the frontage with 10 vehicular parking spaces to the front. The existing building is approximately a T-shape, extending across most of the width of the site. It is 2-storeys high with habitable space in the loft. Trent Gardens is characterised by 2-storey 3-bed single family dwellings.
- 1.2 At the rear of the application site is overgrown grassland on a significantly higher ground level than the front portion of the site. The south-west end of the site adjoins the rear boundary of a 3-storey purpose built block of flats at No.248 Chase Side. To the south of the site is Nos.1-18 Freshfield Drive a 3-storey purpose built block of flats. To the north of the site is Nos.67-72 De Bohun Avenue a 2-storey purpose built block of flats with habitable rooms in the roofspace.
- 1.3 The application property is currently in use as an old people's care home with 41 permanent residents in 41 single-bed rooms, typically from the Cypriot community with the majority placed by Local Authorities other than Enfield. The care provided is non-specialist in nature. There are 30 staff employed at the Home, with 10 on-site at any one time, working in 8-hour shifts.

## **2.0 Proposal**

### **2.1 Physical development of Residential Nursing Home**

- 2.1.1 The existing building, 3-storeys in height extends across the frontage of the site and has a projecting wing to the rear. The proposed extension, 3-storeys in height, would adjoin this existing rearward projecting wing by way of a glazed link. The proposed extension would be a floor height below natural ground level by way of excavation. The proposed extension would be wider than this existing wing and its central element would project rearwards so that it is close to the rear boundary of the site. It would also have a substantial wing projecting to the south at 2.5-storey level as well as single storey element projecting to the north. The existing gross floor space of the Care Home is 1381m<sup>2</sup> and the proposed additional floor space would be 1610m<sup>2</sup>, and would result in a total gross floor space of 2991m<sup>2</sup>.
- 2.1.2 The extended premises would have 85 single bedrooms for use as a residential nursing care home for the elderly. The plans indicate that the internal layout of the existing building will remain unaltered with 41 single bedrooms with the exception of a consulting room for a visiting General Practitioner (GP). The proposed extension would have two communal lounge areas at ground floor level, with ancillary rooms for staff, office and kitchen at ground floor level. A lift and stairwell would be provided in the central element of the proposed building. The property retains a substantial outdoor amenity space (over 300m<sup>2</sup>) to the north of the existing and proposed building.

### **2.2 Type of care and numbers of residents and staffing**

- 2.2.1 The type of care is non-specialist care for elderly persons with typically with dementia and from Cypriot community. The number of residents would increase from 41 to 85, all roomed in single accommodation. The applicant's

statement states that the home will generate approximately 60 full time jobs. It is anticipated that the maximum number of staff on duty at any one time would be 20, operating in 8-hour shifts.

### 2.3 Parking and Access

2.3.1 The applicant seeks to retain the two vehicular accesses to the site. The southern access will continue to serve the existing parking area for eight vehicles (including one disabled space) as a Visitor's Car Park. The widened northern crossover will provide access to an additional eight spaces solely for Staff along the northern edge of the existing building. Total parking spaces are 18 (including 1 disabled space).

### 3.0 **Planning History**

3.1 TP/09/1343: an application for a three storey rear extension to provide 44 additional bedrooms to existing home for the elderly and provision of 8 additional car parking spaces was withdrawn 25-11-2009.

### 4.0 **Consultations**

#### 4.1 Statutory and non-statutory consultees

4.1.1 London Fire & Emergency Planning Authority raises no objection to the proposal.

4.1.2 Enfield NHS Primary Care Trust raises an objection to the proposal unless monetary and other provision can be made to offset the increased strain on PCT services

4.1.3 Thames Water raises no objection. (Regarding surface water drainage a Directive can be attached advising the applicant to seek permission from Thames Water for discharge to a public sewer).

4.1.4 Traffic and Transportation raises no objections to the proposal subject to conditions.

4.1.5 Environmental Health raises no objection subject to conditions.

4.1.6 The Arboricultural Officer does not object to the proposal as long as trees work are carried out in accordance with good arboricultural practice.

4.1.7 Adult and Social Care raise an objection with the proposal on the grounds of increased burden on local social care services.

#### 4.2 Public:

4.2.1 Consultation letters have been sent to 66 neighbouring and nearby properties. Notice was also displayed at the site and was published in the local press. In response, 4 objections were received raising all or some of the following objections:

- Out of proportion with and detrimental to the site
- Overdevelopment

- Detrimental to neighbours
- Noise and disturbance
- Dangerous inflow of traffic and congestion
- Parking pressure detrimental to highway safety
- Loss of outlook to neighbouring occupiers
- Reduce open space
- Bulky appearance
- Noise and disturbance at anti-social hours and from deliveries
- Insufficient parking provision

#### 4.2.2 Petition

A petition containing 13 signatures was also received objecting to the development on the aforementioned grounds

### 5.0 **Relevant Policies**

#### 5.1 Core Strategy Policies

At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance:

- SO1 Enabling and focusing change
- SO2 Environmental sustainability
- SO3 Community cohesion
- SO5 Education, health and wellbeing
- SO6 Maximising economic potential
- SO8 Transportation and accessibility
- SO10 Built environment
  
- CP6 Meeting particular housing needs
- CP7 Health and social care facilities and the wider determinants of health
- CP8 Education
- CP9 Supporting community cohesion
- CP10 Emergency and essential services
- CP13 Promoting economic prosperity
- CP20 Sustainable energy use and energy infrastructure
- CP21 Delivering sustainable water supply, drainage and sewerage infrastructure
- CP24 The road network
- CP25 Pedestrians and cyclists
- CP30 Maintaining and improving the quality of the built and open environment
- CP46 Infrastructure contributions

#### 5.2 UDP Policies

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

- (II) GD1 – New developments are appropriately located
- (II) GD3 – Aesthetic and functional designs
- (II) GD6 – Traffic generation
- (II) GD8 – Site access and servicing
- (II) H8 – Privacy and over-looking
- (II) H9 – Provision of amenity space
- (II) H12 – Extensions
- (II) H15 – Roof extensions
- (II) T13 – Access
- (II) CS1 – Community Services

### 5.3 London Plan Policies

The following policies of the London Plan (GLA) – Spatial Development Strategy for Greater London (2004) may also be of relevance:

- 2A.1 Optimise use of site
- 3A.13 Special needs housing
- 3A.14 Addressing the needs of London's diverse population
- 3A.18-3A.23 Protection and Enhancement of Social Infrastructure and Community Facilities and Health Impacts
- 3C.1 Integrating Transport and Development
- 3C.22 Cycle Parking Strategy
- 3C.23 Parking Strategy
- 4A.7 Energy efficiency and renewable energy
- 4A.1-4A.9 Climate change and sustainability policies
- 4B.1 Design Principles
- 4B.3 Maximising the potential of Sites
- 4B.6 Sustainable Design and Construction
- 4B.7 Respect local context and communities

### 5.4 Other Policy Considerations:

- PPS1 Delivering Sustainable Communities
- PPG13 Transport

DfT Manual for Streets (2007).  
LFEPA Guidance Note 29.

## 6.0 **Analysis**

### 6.1 Principle / Need)

- 6.1.1 The use of the site as a Care Home for elderly residents is long established and thus in land use terms, there is no objection to the principle.
- 6.1.2 The key issue of principle for this proposal is to assess whether the additional number of bed spaces for this type of care is fulfilling an identified need within the Borough and whether the level of additional demand on the Primary Care Trust's (PCT) services can be accommodated.
- 6.1.3 Enfield's Health & Adult Social Care services do not support the proposal. They have highlighted that give the low rating by the Care Quality



Commission (CQC), they are unlikely to place Enfield residents in this care home. Furthermore they indicate that there is an over-provision of non-specialist Care Homes for elderly persons in the Borough.

- 6.1.4 This has two implications in planning terms. Firstly, this proposal does not fulfil the identified need for high quality specialist dementia care within the Borough; and, secondly all additional residents at the property would be out of borough referrals, this would result in additional pressure on the local health and social care services. However it is noted that it is not the purpose of the planning system to limit competition in the market place and competition, by definition, requires supply to exceed demand.
- 6.1.5 Enfield Primary Care Trust (PCT) has indicated that the three local practices 'face considerable strain in meeting the high needs of the current residents' and that the additional burden that would result from the proposal cannot be accommodated by the existing local GP services. This burden would be further exacerbated by the difficulties in treating individuals who have fragile mental health and no/ poor English language skills. However the applicant has made a Unilateral Undertaking to provide and maintain a 'Medical Consulting Room' within the Care Home for visiting GPs and a payment of £156,000 to offset the burden on the Primary Care Trust. This Undertaking has allowed the PCT to support the development.

## 6.2 Impact on Character of Surrounding Area

- 6.2.1 The proposed extension 3-storeys high (1 below natural ground level) has a design inspired by the existing building. Given the extension's siting in relation to the existing building, the proposed extension would have a limited impact on the street scene. The land to the rear would be excavated and allow the proposed extension to be lower than the existing building, resulting in a subordinate appearance. Furthermore the two 'wing' elements of the proposed extension are set down, which helps to break up the bulk and mass of the extension.
- 6.2.2 The proposed dormer windows with hipped and pitched roof reflect and compliment the existing building and dormer windows. The proposed dormers would, due to their design, integrate with the existing building and due to their size have a subordinate appearance.

## 6.3 Impact on Neighbouring Properties

- 6.3.1 Given the distances between the proposed extensions and neighbouring residential properties on Trent Gardens, Freshfield Drive and Chase Side, the height of the proposed extension and the level of soft landscaping on the boundaries, the proposal is not considered to result in undue loss of privacy, light or outlook to these properties or their amenity areas.
- 6.3.2 The key potential impact is that between the proposed extension and the purpose-built flats at No.66-72 De Bohun Avenue. This block of flats has six windows in the first and second floor elevation facing the proposed extension. It appears that two of these windows serve bathrooms whilst the others serve habitable rooms. The distance between the extension and these flats is 13/14m. The proposed extension would have angled/oriel windows to avoid direct overlooking and would have tactically placed obscure glazed windows.

These design features are considered to ameliorate the potential for overlooking and loss of privacy between the occupiers of No.66 – 72 De Bohun Avenue and the future resident's of the proposed extension, having regard to UDP policy (II)H8 and the accompanying standards contained with Appendix A1.7.

- 6.3.3 Whilst it is accepted that the proposal will be in continual use, the development will exhibit characteristics similar to normal residential occupation and it is considered therefore that the development would not give rise to any unreasonable levels of noise and disturbance associated with the occupation of the development.

#### 6.4 Standard of living conditions (light and internal/external amenity space)

- 6.4.1 The additional 44 bedrooms are of a sufficient size and shape to provide a functional layout which provides a satisfactory standard of accommodation. In terms of fenestration the key potential concern of those bedrooms on the first and second floor facing No.66 - 72 De Bohun Avenue which would have partially obscure glazed windows. The second floor bedrooms are served by sun pipes and the windows serving the bedrooms on the first floor are 1.5m high and 0.8m wide. Even accounting for the obscure glazed element, this would provide a considerable level of clear glazing, which would allow for sufficient light to enter the bedroom and provide a satisfactory outlook for residents.

- 6.4.2 The Council's Health and Adult Social Care Department advise that the Department of Health's minimum standards are 4.1m<sup>2</sup> per service user. Therefore 85 residents would create a requirement for 348.5m<sup>2</sup> of communal amenity space. The extended care home would provide adequate internal and external communal space to meet and exceed this standard.

#### 6.5 Landscaping and Trees

- 6.5.1 The site as existing has considerable landscaping to the boundary at the rear on all three sides. The Tree Constraints Plan: 7053/01, indicates that the proposed extension would not result in the loss of any trees. The applicant proposes additional tree planting and soft landscaping to further mitigate the impact of the development with full details to be sought by condition. Overall it is considered that the development would not unduly prejudice the health of these trees, subject to appropriate conditions relating to the root protection area.

- 6.5.2 The existing parking area will be hard-surfaced, subject to condition ensuring permeability, surrounded by some soft landscaping and shrubs to soften its visual impact.

#### 6.6 Traffic, Parking, Access and Servicing

##### 6.6.1 Background

- 6.6.2 Trent Gardens is a busy local access road, the site has a PTAL of 1b (very low) and during peak times, the carriageway is reduced to one-way working by on-street parking. There are no restrictions to parking/loading/unloading on this stretch of road. There are currently three dropped kerb crossovers of

which two are located to the forecourt parking area and the third one located further down the carriageway providing access to a redundant garage. The width of the northern access is restricted and only allows for a one-way working.

#### 6.6.3 *Trip generation and Highway impact*

6.6.4 Details of the predicted traffic generation associated with the proposed development are included within Section 4 of the Transport Statement. The predicted traffic flows have been derived from the TRICS database. Whilst it is likely that movements during peak times might be minimal (according to the TS: 9 in the morning and 8 in the evening peak time), it is anticipated that the proposal will generate the following traffic movements during the day:

- Residents: No vehicular ownership;
- Staff: It is estimated that 60 staff would be based at the proposed nursing home working 3 shifts a day, with changing over time at 07:30, 14:45 and 21:45. This equates to 24 staff per shift during the daytime (morning and afternoon) and a further 12 staff per shift for the night shift;
- Parking Spaces 18;
- Ambulance: 1 or 2 vehicular movements a day;
- Food delivery: 2-3 times a week;
- Refuse collection: once a week; and
- Visitors: 2-8 a day (Residents in the care home, in principle would be drawn from the local community and where they have relatives. Therefore it is envisaged that the visitors would walk or use public transport to visit relatives).

6.6.5 It is considered that these identified additional vehicular movements are not such that would cause harm to the free flow or safety of highway traffic, having regard to Policy (II)GD6 of the UDP.

#### 6.6.6 Staff Travel Plan

6.6.7 It will be desirable to receive a full Travel Plan in order to ensure that staff sustainable travel habits are established from day one. Therefore, it is recommended that a planning condition be implemented which secures a staff travel plan prior to commencement of operation or occupation of the site, which ever is sooner.

#### 6.6.8 Amount of Vehicle and Cycle Parking Spaces

6.6.9 It is considered that the amount of vehicle parking is sufficient to cater for demand and in accordance with London Plan Policy 3C.23 and UDP parking requirements which are set at 1 space per 10 beds and 1 space per 10 beds for visitors, this equates to 18 spaces in total. Therefore the 18 parking spaces provided are acceptable. The cycle stands providing for eight cycle parking spaces, in accordance with the TfL Cycle Parking Standards requiring a minimum of 1 cycle space per 3 staff.

#### 6.6.10 Car Park Layout and Access

6.6.11 Eighteen vehicular car parking spaces are proposed (eight in the front car park and ten in the rear). The front car park will be designated as the visitor car park and the rear car park will only be for staff. A clear signage will be

installed for this purpose. The front car park will accommodate eight visitors' spaces (one space dedicated for disabled) and will have a carriage drive arrangement, with separate 'in' and 'out' crossovers with signage to that effect.

- 6.6.12 The width of the 'drive' from site access through to rear car park (as shown above) is too narrow to allow pedestrians and vehicles to pass, with inevitable conflict (exacerbated if wheel-chair users are involved). This could also prevent and delay vehicles pulling into the site off Trent Gardens to the detriment of safety and free-flow along the road. The same concern as the above would arise with exiting vehicles conflicting with approaching vehicles. This narrow drive does not provide a good view to approaching vehicles and with no scope to provide passing places this could result in vehicles being forced to reverse into Trent Gardens. These concerns will only be addressed by widening the access, for its entire length up to the building line or provision. A condition has been attached accordingly.
- 6.6.13 The guidance provided in Figure 7.1 of Manual for Streets shows that the minimum road width to enable two cars to safely pass is 4.1m. This should be provided to ensure that vehicles entering the site are not required to wait on the public highway which in turn would prejudice the free-flow of traffic on the main road. In addition, in order to minimise the risk of mounting the kerb, it is recommended that the width of the crossover be extended to a minimum width of 4.8m. Therefore, the existing access will need to be widened in order for the proposals to be acceptable. This can be secured through the implementation of planning Condition C12. Visibility splays (2m x 2m) for emerging vehicles to see pedestrians have been shown on the drawing (PP.10). This however would require removal of the existing side fence to the north of the access which has not been shown on the drawing and would need to be secured through a condition.
- 6.6.14 Staff will be able to use an existing rear service entrance, adjacent to the proposed cycle parking & hence there should be no need for staff to walk to the front entrance to access the building. Pedestrian access to the front entrance will remain as existing. The drive is of shallow gradient and leads directly to the main front door, which has a level threshold. There is a minimum width of 3.9m between the existing building and the boundary at the northern access which cannot be increased. It will be however possible to increase the width of the service driveway to 4.250m, allowing cars to pass each other. Furthermore, the existing front wall will be altered to accommodate the wider drive and the visibility splays.
- 6.6.15 Given the above analysis, it is considered that subject to appropriate conditions the development would unduly harm the safety or free flow of highway or pedestrian traffic.
- 6.6.16 *Fire Appliance Access*
- 6.6.17 It has been confirmed by the Applicant that the rear car park layout as shown in previous drawing TP/09/1343 - PP.04 would not be possible as it is contrary to the requirements of the London Fire Brigade which require clear access to the perimeter of the building in this area. LFRPA has raised no objections to the proposal on the basis that suitable access for fire appliances is provided, in accordance with B5 of Approved Document B. Specifically the

access road width is sufficient and an adequate amount of the perimeter can be reached by a Fire Truck.

6.6.18 *Emergency access*

6.6.19 A swept path for a 7.9m long pumping appliance reversing within the site has been provided and is acceptable. The submitted drawing however does not show how the vehicle will turn into/ out of Trent Gardens. Traffic & Transportation is satisfied however that this can be overcome by widening and improving the existing access (condition 4).

6.6.20 *Refuse and recycling*

6.6.21 There will be a new timber bin enclosure (for 2 x 1100 litre refuse bins and 1 x 1280 litre recycling bin) adjacent to the northern driveway. Service deliveries will be made via the existing rear entrance.

6.6.22 The existing and proposed refuse arrangements are unsatisfactory. The location of the refuse storage beneath the external escape stair within the northern car park is considered too remote from the highway. Also, the arrangement of leaving the refuse bins near the kerbside on the day of collection is unacceptable and would give rise to conditions prejudicial to the free flow and safety of pedestrians on the adjoining footway. The fact that this is an existing practice is not sufficient justification for this arrangement to be suitable for an even more intensified use, which would undoubtedly generate more waste than the existing development. To address this concern, a provision of a separate bin enclosure preferably next to the 3<sup>rd</sup> access (without obstructing vehicle sightlines) is required. There is also no mention of recycling facilities. However the LPA is satisfied that this can be dealt with through a condition (C19).

6.6.23 *Servicing*

6.6.24 Currently, food and service deliveries are made by small vans or cars that park easily on the front forecourt. With the new extension it is now proposed that all deliveries will be made via the side entrance. It is considered that there is enough room within the rear courtyard to safely accommodate servicing movements.

6.6.25 *Conclusion*

6.6.26 Given the above analysis it is considered that the proposed development does not prejudice the provision of on site parking nor would it lead to additional parking and therefore, does not give rise to conditions prejudicial to the free flow and safety of traffic on the adjoining highways having regard to Policies (II)GD6 and (II)GD8 of the Unitary Development Plan.

6.7 Sustainable Design and Construction

6.7.1 The applicant has indicated that the scheme will be assessed under BREAM Multi-Residential Assessment. Core Strategy Policies 20 and 21 requires that the scheme meets the 'very good' standard of this assessment. A condition requiring the scheme meets this standard has been accordingly recommended.

- 6.7.2 An Energy Assessment has been submitted which demonstrates that over a 20% reduction of the Carbon Dioxide-equivalent building emission rate can be achieved through the use of 120 sq. m. of solar thermal panels and 125 sq. m. of solar photovoltaic panels. This on-site renewable provision accords with London Plan Policy 4A.7 and Core Strategy Policy 20. It is recommended that a condition is attached requiring the scheme to achieve the energy efficiency and on-site renewable provision identified in the Energy Assessment.

## **7. Conclusion**

- 7.1. It is therefore recommended that planning permission be granted for the following reasons:
1. The proposal would provide additional accommodation services that meet the needs of identified vulnerable adults in accordance with Policy 6 of the Core Strategy and furthermore makes satisfactory provision to offset the additional burden placed on Enfield Primary Care Trust having regard to Policies 7 and 46 of the Core Strategy and London Plan Policy 3A.13.
  2. The proposed three-storey extension due to its design, does not detract from the character and appearance of the surrounding area or the visual amenities of surrounding occupiers having regard to Policy (II)GD3 of the Unitary Development Plan, Policy 30 of the Core Strategy and London Plan Policy 2A.1 and 4B.7.
  3. The proposal due to its size and siting does not significantly affect the amenities of adjoining or nearby residential properties having regard to Policies (II)H8 and (II)H12 of the Unitary Development Plan and Policy 30 of the Core Strategy.
  4. The proposed development does not prejudice the provision of on site parking nor would it lead to additional parking and therefore, does not give rise to conditions prejudicial to the free flow and safety of traffic on the adjoining highways having regard to Policies (II)GD6 and (II)GD8 of the Unitary Development Plan and Policies 24 and 25 of the Core Strategy and national guidance: PPG13.
  5. The proposed development by virtue of the quantity and quality of the internal and external communal space and size, layout and fenestration of the additional bedrooms provides a satisfactory standard of living for future occupiers, having regard to Policy (II)GD3 of the Unitary Development Plan and Policies 4 and 6 of the Core Strategy.
  6. The proposed makes satisfactory provision for sustainable design and off-setting carbon dioxide equivalent emissions, having regard to Policy (II)GD3 of the Unitary Development Plan, Policy 20 and 21 of the Core Strategy and National Guidance PPS1 and PPS1 supplement.

## **8. Recommendation**

- 8.1 That planning be approved subject to the following conditions:

1. C60 Approved plans
2. C07 Details of Materials
3. The development shall not commence until details of the surfacing materials to be used within the development including footpaths, access roads and parking areas and road markings have been submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved detail before the development is occupied or use commences.

Reason: To ensure that the development does not prejudice highway safety, to ensure a satisfactory appearance and in the interests of sustainable drainage.

4. C10 Details of Levels
5. C11 Details of Enclosure
6. C12 Details of Parking/Turning Facilities
7. C14 Details of Access and Junction
8. The parking areas forming part of the development shall only be used for the parking of motor vehicles of the staff, suppliers, refuse and emergency services, residents and resident's families and shall not be used for any other commercial purpose.

Reason: To ensure that the development complies with Unitary Development Plan Policies and to prevent the introduction of activity which would be detrimental to amenity.

9. C17 Details of Landscaping including a creeper on the timber cladding on the end facades.

10. C19 Details of Refuse Storage & Recycling Facilities
11. C20 Details of Fume Extraction
12. C41 Details of External Lighting

13. Prior to the commencement of development, details indicating the type of fenestration to be used on the external face of the new extension, hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The plan will indicate amongst other things whether the fenestration will be fixed shut and/or in obscured glass and the level of obscuration as defined on the Pilkington Obscuration Range.

The scheme shall be completed in accordance with the approved details and shall not be altered thereafter without the approval in writing of the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of adjoining and neighbouring properties.

14. C25 No additional Fenestration
15. C26 Restriction of Use of Extension Roofs

16. Deliveries and collections to and from the premises shall only take place between the hours of 07.00 to 21.00 hours Monday to Saturday only.

Reason: To safeguard the amenities of the occupiers of nearby residential properties.

17. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any amending Order, the premises shall only be used as a Care Home for Elderly Persons and shall not be used for any other purpose within Use Class C2, or for any other purpose.

Reason: In the interests of the amenities of neighbouring occupiers and highway safety.

18. C59 Cycle parking spaces

19. Prior to the commencement of the development, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Travel Plan shall be implemented, adhered to, monitored and reviewed by the site occupiers. The Local Planning Authority shall be notified of the reviews to be set down in the Travel Plan, with the recommendations to be approved or refused as appropriate, with revised recommendations being resubmitted within 1 month of refusal and all recommendations being implemented within 1 month of approval or such longer time as may be agreed in writing with the Local Planning Authority.

Reason: To ensure that the development establishes as a sustainable entity by seeking to reduce car borne trips and promoting the use of sustainable transport modes.

20. Prior to the development being occupied a clear signage should be installed showing the front car park as designated for visitors whilst the rear car park for staff only.

Reason: In the interest of highway safety.

21. Prior to the development being occupied a one way priority signage for vehicles exiting and entering the northern car park should be made available/visible for visitors /staff accessing the site.

Reason: In the interest of highway safety.

22. Prior to the development being occupied a 'deliveries' signage should be installed on a front wall at the northern access to prevent deliveries taking place on street.

Reason: In the interest of highway safety.

23. Prior to the development being occupied the existing crossover to the service driveway should be widened to 4.8m whilst the width of the service driveway to 4.250m to allow cars to pass each other.



Reason: In the interest of highway safety.

24. Prior to the development being occupied the carriage drive parking arrangement with separate 'in' and 'out' signage should be provided in the front car park area. This should be kept clear at all times to allow for an appropriate/safe ambulance manoeuvres.

Reason: In the interest of highway safety.

25. Prior to the commencement of any development a Construction Environmental Management Plan (CEMP) written in accordance with London's Best Practice guidance shall be formally submitted to and approved in writing by the Local Planning Authority. The (CEMP) will address the following issues:

- (i) Noise
- (ii) Control of site drainage and run off
- (iii) Storage and removal of excavation/ demolition material
- (iv) The siting of work compounds together with loading and unloading
- (v) Contractors parking
- (vi) Wheel washing facilities and methodology
- (vii) Construction traffic routing
- (viii) Control of dust and air quality during demolition and construction
- (viii) Hours of work

The CEMP shall nominate a Construction Manager to oversee the management of these issues and the CEMP shall detail mechanisms for addressing complaints, monitoring, public liaison, prior notification works. The CEMP shall be adhered to at all times and regular monitoring and auditing performance shall be carried out in accordance with a schedule to be agreed with the Local Planning Authority.

Reason: To avoid nuisance or other environmental effects during demolition or construction and operational phases of the development.

26. The energy efficiency measures and on-site renewable provision identified in the 'Energy assessment' shall be implemented in accordance with those details submitted. Before the development is first occupied, the developer shall submit to the Local Planning Authority a statement confirming that the development hereby approved has been so carried out.

Reason: In the interest of sustainability.

27. Evidence confirming that the development achieves a BREAAAM Multi-Residential Assessment of no less than 'very good' shall be submitted to and approved in writing by the Local planning Authority. The evidence required shall be provided in the following formats and at the following times:

a design stage assessment, conducted by an accredited and licensed Code for Sustainable Homes Assessor and supported by relevant

BRE interim certificate, shall be submitted at pre-construction stage prior to the commencement of superstructure works on site; and, a post construction assessment, conducted by and accredited and licensed Code for Sustainable Homes Assessor and supported by relevant BRE accreditation certificate, shall be submitted following the practical completion of the development and prior to the first occupation.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior approval of the Local Planning Authority.

Reason: In the interests of addressing climate change and to secure sustainable development in accordance with the strategic objectives of the Council and Policies 4A.1, 4A.2, 4A.3 and 4A.9 of the London Plan as well as PPS1.

28. Prior to the occupation of the new extension, hereby approved, the 'medical consulting room' indicated on plan no. PP.11 shall be provided and solely retained for this purpose thereafter.

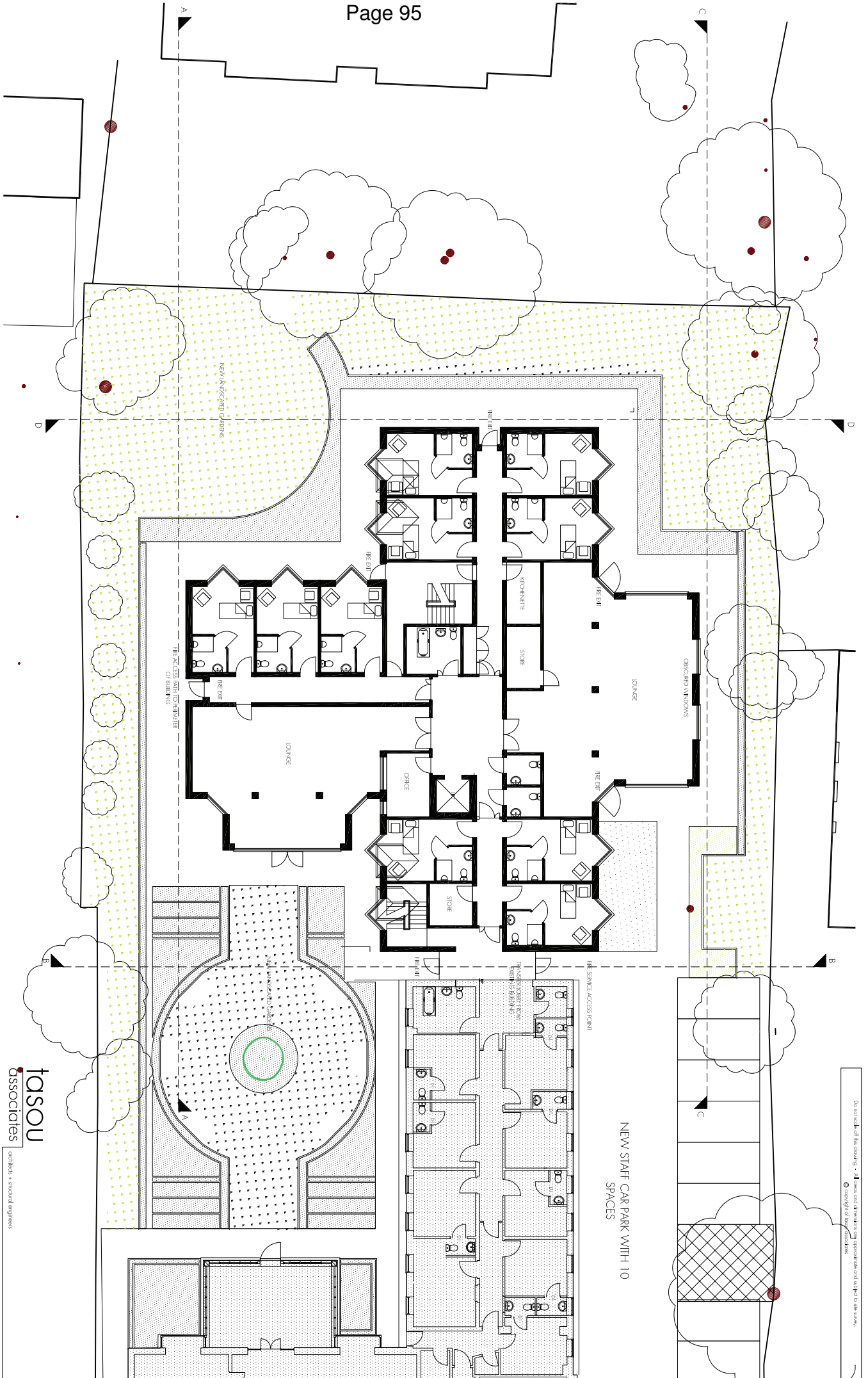
Reason: In the interests of the health of the Care Home's residents and minimising the burden on Enfield Primary Care Trust services.

29. C51A Time Limited Permission

#### Informatives

1. The applicant is informed that provision of an improved vehicular access for this proposal is seen as essential element of the scheme. The works to facilitate this will be undertaken by the Council's Highways Services Team at the applicant's expense.
2. Secure, lidded refuse containers must be provided for the storage of commercial waste. A commercial contract for the removal of refuse from the premises must be arranged.
3. Surface Water drainage: It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval is required Thames Water Developer services. They can be contacted on 0845 850 2777.

Reason: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.



rev A: 19.11.2010 - car park layout altered

**fasou**  
associates

architects + structural engineers

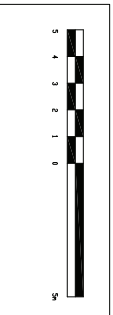
4 Avenue Road, London, EC1R 1UG | 020 7713 2070 | 020 7713 2071 | [enquiries@fasou.co.uk](mailto:enquiries@fasou.co.uk)

PPPT  
drawing title  
1048  
JULY 2010

REAR EXTENSION of 73 Trean Gardens, London N14 4QB  
GROUND FLOOR [Proposed]  
drawing no. PP.01  
scale @ A1 1:100

PPPT  
1048  
JULY 2010

Do not scale off the drawing - All sizes and dimensions are approximate and subject to site survey.  
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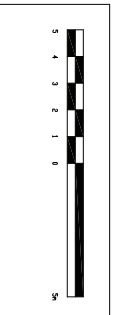
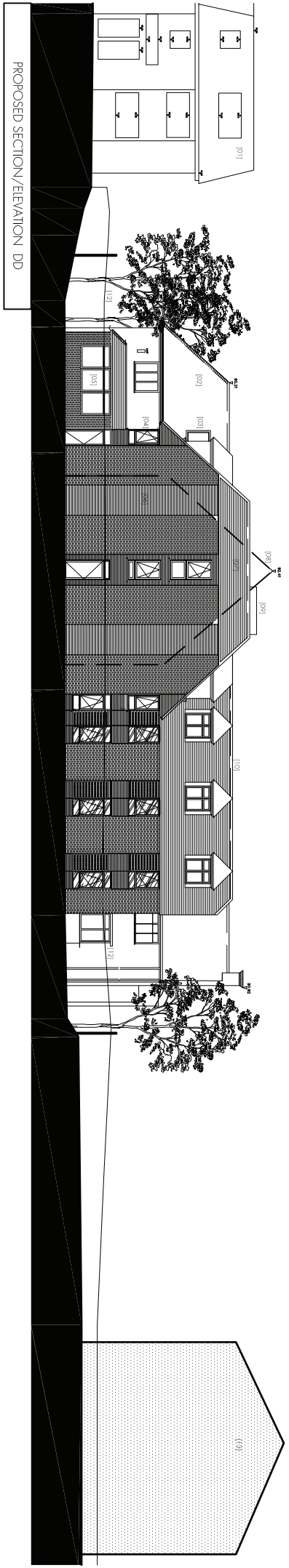
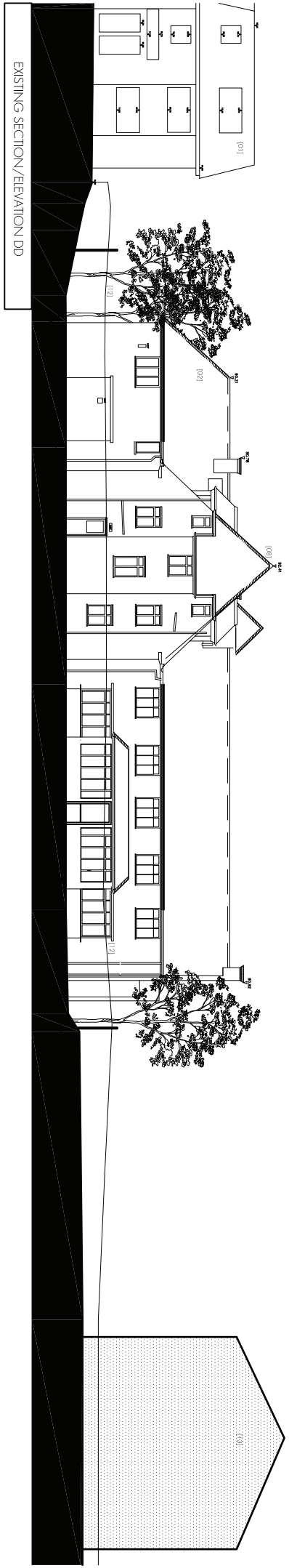


- KEY:
- [01] BUILDING AT REAR OF 248 CHASE SIDE
  - [02] NEW BRICK FACADE
  - [03] ROOF FINISH TO CL
  - [04] NEW TIMBER FRAMED WINDOWS WITH LOW LEVEL VISION PANES
  - [05] TIMBER CLADDING TO BAY WINDOW PROJECTIONS
  - [06] TIMBER CLADDING SET WITHIN BRICKWORK TO MATCH EXISTING
  - [07] FIRE EXIT

- REFERENCES:
- [08] GREENHAT ROOF TO SINGLE STOREY LOUNGE
  - [09] GLAZED BRICK LOBBY BETWEEN NEW EXTENSION AND EXISTING BUILDING
  - [11] NEIGHBOURING BUILDINGS AT DE BOHUN AVENUE

A 30/11/2010 TIMBER CLADDING INTRODUCED TO GABLE ELEVATIONS

**tasou**  
 associates  
 architects + interior designers  
 4 Avenue, Seven, London, EC1R 1UD, T020 7713 2070 F020 7713 2071 Email@tasou.co.uk  
 REAR EXTENSION of 73 Tren Gardens, London N14 4QB  
 ELEVATION AA [Existing and Proposed]  
 1048  
 JULY 2010  
 PP 05  
 A



- KEY:
- [01] NEIGHBOURING PROPERTY AT DE BOHUN AVENUE
  - [02] REAR OF EXISTING BUILDING
  - [03] REAR OF EXISTING BUILDING
  - [04] BAY WINDOWS
  - [05] SINGLE STOREY LOUNGE WITH HAT GREEN ROOF
  - [06] TIMBER GARDENS PANELS SET WITHIN NEW BRICKWORK
  - [07] NEW ROOF TILES TO MATCH EXISTING

- [08] OUTLINE OF EXISTING BUILDING
- [09] SOUTH EAST YARD AT LOWER LEVEL
- [10] TIMBER PROJECTING BAY WINDOWS WITH LOW LEVEL WINDOW PANELS
- [11] APPROX. LEVEL OF REAR BOUNDARY FENCE TO 248 CHASE DRIVE
- [12] NEIGHBOURING PROPERTY AT 1-18 FRESHFIELD DRIVE

REFERENCES:  
 A 30/11/2010 TIMBER GARDENS INTRODUCED TO GABLE ELEVATIONS

PROPOSED  
 DRAWING NO. 1048  
 DATE JULY 2010

REAR EXTENSION of 73 Trent Gardens, London N14 4QB  
 ELEVATION/SECTION DD [Existing and Proposed]  
 DRAWING NO. PP-08  
 SCALE @ A1 1:100  
 A

**tasou**  
 associates

architects + interior designers

4 Avenue Road, London, EC1R 1UD T: 020 7713 2020 F: 020 7713 2021 Email: info@tasou.co.uk

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

**Date :** 16<sup>th</sup> December 2010

**Report of**

Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Mr S. Newton Tel: 020 8379 3851

**Ward:** Southbury

**Application Number :** TP/10/1170

**Category:** Other Development

**LOCATION: ENFIELD PLAYING FIELDS ADJACENT TO QUEEN ELIZABETH STADIUM CAR PARK, DONKEY LANE, ENFIELD, EN1 3PL**

**PROPOSAL:** Erection of a brick enclosure around existing metal storage unit to south of Stadium.

**Applicant Name & Address:**

Mr Keith Jones  
45, HALIFAX ROAD,  
ENFIELD,  
EN2 0PR

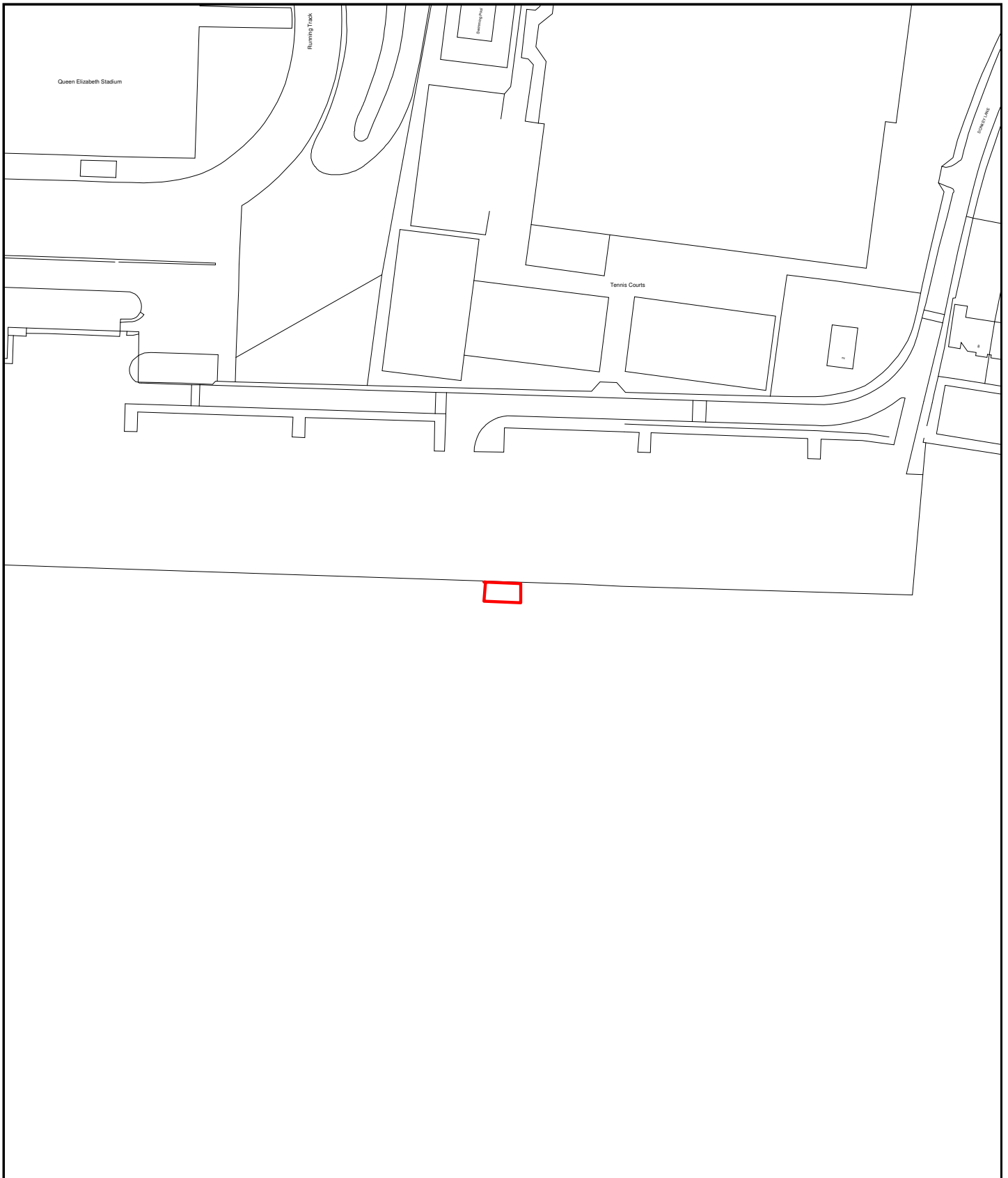
**Agent Name & Address:**

D Barnard  
9, Millcrest Road  
Goffs Oak  
Waltham Cross  
Herts

**RECOMMENDATION:** That planning permission be **GRANTED** subject to conditions.

**Note for Members**

Although an application of this nature would normally be determined under delegated authority, due to the objection received to the proposal from CAG, the application is required to be reported to Planning Committee for consideration where the recommendation is to grant planning permission



## Development Control



Scale - 1:1250  
Time of plot: 08:29

Date of plot: 03/12/2010



## **1. Site and Surroundings**

- 1.1 The application site comprises of an area of land at the northern end of the Enfield Playing Fields, immediately adjacent to the boundary of the public car park for the Queen Elizabeth Stadium.
- 1.2 The site is within Metropolitan Open Land but not within the curtilage of the Grade II listed Queen Elizabeth Stadium.

## **2. Proposal**

- 2.1 Permission is sought for the erection of a brick enclosure around a re-positioned metal storage unit. The unit is required to store training equipment for Enfield Ignatians Rugby Club.
- 2.2 The proposed enclosure will be 3.5m wide, 4m deep, and 3m in height. The enclosure will be open-topped. Materials will be a 'Yellow Stock' to match that of the pavilion building and there will also be a dark green painted roller shutter door at one end.

## **3. Relevant Planning Decisions**

- 3.1 There is no planning history relevant to this application

## **4. Consultations**

### 4.1 Statutory and non-statutory consultees

- 4.1.1 The Conservation Advisory Group object to the proposal on the following grounds:
  - Strong objections to an unattractive metal container housed in brick to be located in open land.
  - It does not preserve the Listed Building.
  - Suggested relocation at the junction with Donkey Lane or closer to the clubhouse.

### 4.2 Public

- 4.2.1 Due to the location of the proposed storage unit and distances to neighbouring properties, no consultation with nearby residential occupiers was considered necessary.

## **5. Relevant Policy**

### 5.1 Local Development Framework

At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance:

CP30: Maintaining and improving the quality of the built and open environment

CP31: Built and landscape heritage

CP34: Parks, playing fields and other open spaces

## 5.2 Saved UDP Policies

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

- (II)GD3 Aesthetics and functional design
- (II)C16 Refuse planning permission for uses prejudicial to the special architectural interest of listed buildings, their historic curtilages, or structures therein
- (II)AR1 Resist loss of existing recreation facilities and to support their further development subject to being located appropriately

## 5.3 The London Plan

- Policy 2A.1 Sustainability criteria
- Policy 3A.18 Protection and enhancement of community infrastructure and community facilities
- Policy 4A.3 Sustainable design and construction
- Policy 4B.1 Design principles for a compact city
- Policy 4B.3 Enhancing the quality of the public realm
- Policy 4B.5 Creating an inclusive environment
- Policy 4B.8 Respect local context and communities
- Policy 4B.11 London's built heritage
- Policy 4B.12 Heritage conservation

## 5.4 Other Relevant Considerations

- PPS1: Sustainable development
- PPS5: Planning for the historic environment
- PPG17: Planning for Open Space, Sport and Recreation

The Queen Elizabeth II Stadium, Conservation Management Plan (June 2009)

## 6. **Analysis**

### 6.1 Principle

6.1.1 As a relatively modest ancillary structure which supports the use of the playing fields, the proposal is considered to represent in principle, an appropriate form of development. However, given the location within Metropolitan Open Land and close to the Queen Elizabeth Stadium, it is important to consider its impact on the wider visual amenities and the setting and appearance of the listed building

## 6.2 Impact on Listed Building

- 6.2.1 In decision-making<sup>12</sup> local planning authorities are advised by PPS 5 “Planning and the Historic Environment” to seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal (including by development affecting the setting of a heritage asset – i.e. a listed building). In particular, Local planning authorities should take into account:
- the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping; and
  - the positive contribution that conservation of heritage assets and the historic environment generally can make to the establishment and maintenance of sustainable communities and economic vitality
- 6.2.2 The key test is set out at Para HE7.5 of PPS5 where It states, local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.
- 6.2.2 In this case, the Listed Building is covered by a Conservation Management Plan (CMP) and reference is made to the “highly planned” original approach and setting of the stadium. The main approach was intended to be from the south along the tree-lined avenue. It is also acknowledged that the main approach is now from the east and southeast and that “every effort should be made to enhance the views”. Landscaping and planting near to the car park is suggested.
- 6.2.3 The proposed structure would be sited approximately 100m southeast of the listed building, on the farthest side of the car park. Its position has been the subject of considerable negotiation and is now offset from the main front elevation of the stadium and away from the main vista across the playing field. As a result, it is considered the position is acceptable and the nearest the structure can be in relation to the listed building without detrimentally affecting its setting and important views of the building, having regard to comments in the CMP and guidance contained in PPS5 and PPG17.
- 6.2.4 Furthermore, when viewed from the southern approaches to the listed building, the structure is viewed against the backdrop of existing trees, and additional planting could be provided if considered necessary, to further screen the development from the listed building.
- 6.2.5 Impact on Metropolitan Open Land
- 6.2.6 In terms of development on Metropolitan Open Land (MOL), the proposal is considered ancillary to the use of the site as a playing field(s) and does not adversely affect the quantity or quality of pitches and their use. Moreover, whilst the design of the structure is utilitarian, it serves to enclose a metal container which would otherwise be considered detrimental to the character and appearance of the Metropolitan Open Land. Importantly, through the cladding proposed, it will have the appearance of an ancillary sports field

building not dissimilar to other buildings within the playing fields, albeit without a pitched roof.

- 6.2.4 In addition, the proposal only affects land which is incapable of forming a playing pitch (or part of one), it does not result in the loss of any playing fields; and it is for an outdoor sports facility of sufficient benefit to the development of the rugby club.

## **7. Conclusion**

- 7.1 The proposed development has been considered in relation to all of the necessary guidance for applications affecting heritage assets and playing fields. Mindful of this, the development is an ancillary structure that would not harm the setting and appearance of Grade II listed building or to the function and viability of the playing fields. Moreover, the structure is considered an essential sports facility necessary to the essential needs of the rugby club for the training of its players.

- 7.2 It is therefore considered that on balance, planning permission should be granted for the following reasons:

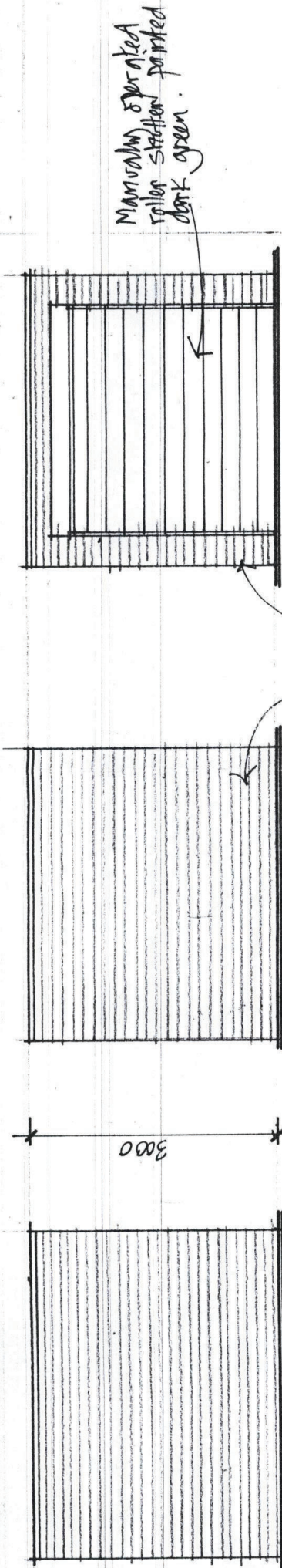
The proposed development will not unduly affect the character and setting of the grade II listed Queen Elizabeth Stadium or the surrounding Metropolitan Open Land, having regard to Policies 31 and 34 of the adopted Core Strategy, Policies (II)GD3, (II)C16 & (II)AR1 of the saved Unitary Development Plan, as well as PPS5 & PPG17.

## **8. Recommendation**

- 8.1 That planning permission is granted subject to the following conditions:

C08 Materials to match (submitted plans)  
C17 Details of landscaping  
C51A Time limited permission

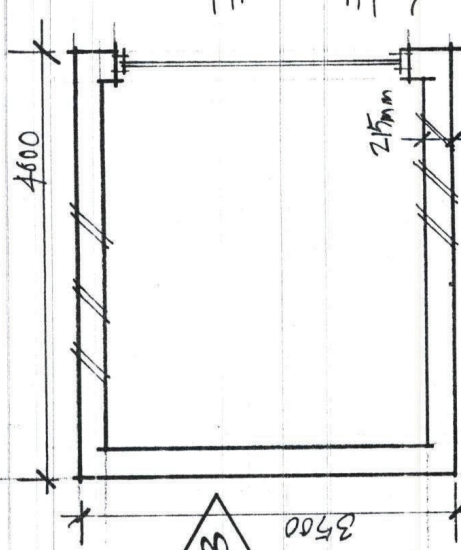
TP/10/1170



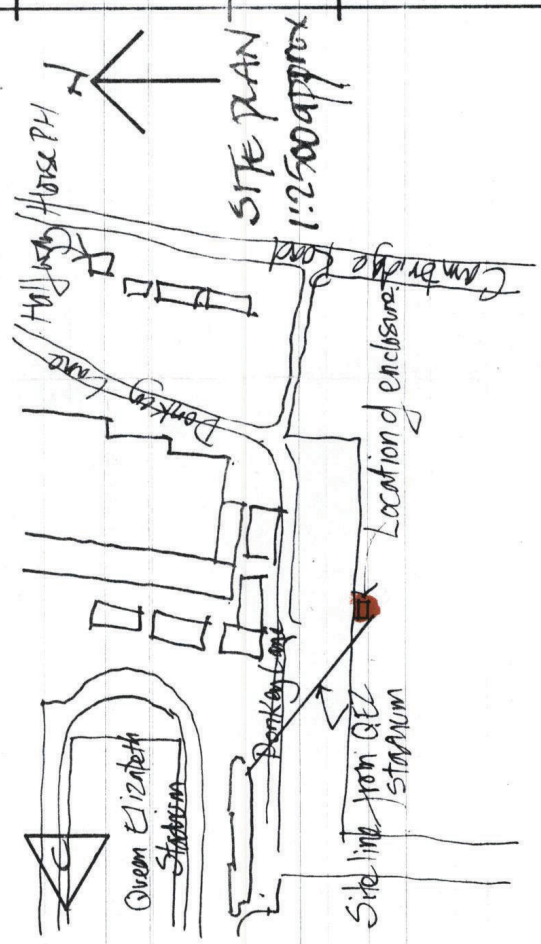
A (side elevations similar)

B 'Speed' Dean Islington Yellow Stock 'Facing' brickwork to match Q&E2 stadium brickwork

Minimum sprayed roller station painted dark green.



PLAN A  
N.B. brick enclosure only  
no roof.



REVISIONS

BRICK OUBOUND TO ENCLOSE  
METAL STORAGE UNIT.  
AT TRAINING RUGBY PITCH  
ADJACENT TO MAIN CAR PARK OF  
Q&E2 STADIUM

SCALE 1:50 DRAWING 200/24  
AUGUST 2010

ARCHITECTURAL DESIGN

DAVID P. BARNARD  
B.Sc. Dip Arch

LONDON BOROUGH OF  
18 AUG 2010  
DEVELOPMENT

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 16<sup>th</sup> December 2010

**Report of**  
Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**  
Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Mr R. Singleton Tel: 020 8379 3837

**Ward:** Enfield  
Highway

**Application Number :** TP/10/1335

**Category:** Dwellings

**LOCATION:** 10 SAVILLE ROW, ENFIELD, EN3 7LD

**PROPOSAL:** Subdivision of site and erection of 1 x 3-bed single family dwelling

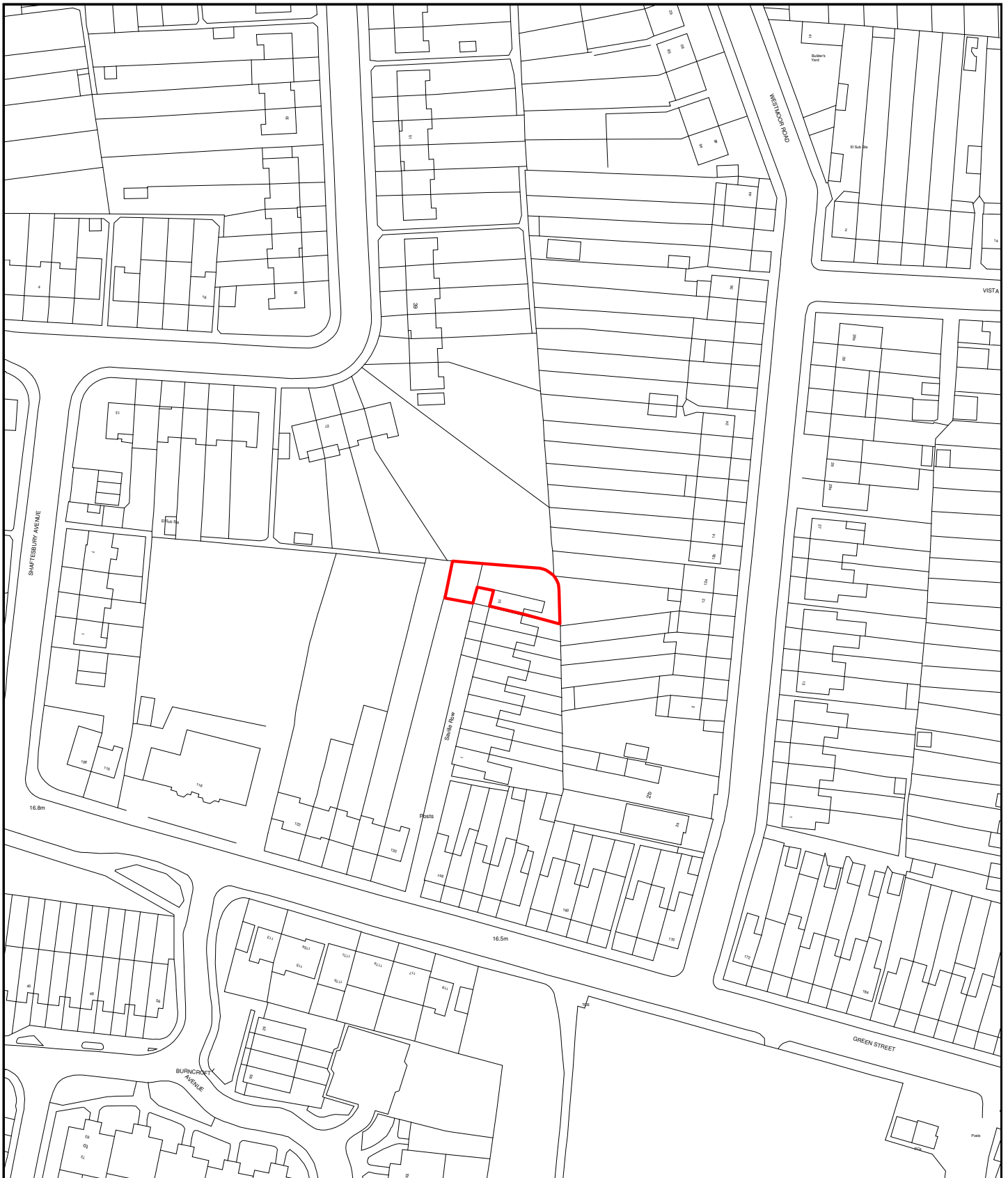
**Applicant Name & Address:**  
Mr N London  
N London Construction Co.UK Ltd.  
5 AYLANDS ROAD  
ENFIELD  
EN3 6PW

**Agent Name & Address:**  
Mr Alan Cox  
Alan Cox Associates  
59A HIGH STREET  
BARNET,  
EN5 5UR

**RECOMMENDATION:** That planning permission be **GRANTED** subject to conditions.

#### Note for Members

Although an application of this nature would normally be determined under delegated authority, due to the concerns raised by local residents, Councillor Simon has requested the application is proposal is reported to Planning Committee for consideration



### Development Control



Scale - 1:1250  
Time of plot: 08:27

Date of plot: 03/12/2010



**1. Site and Surroundings**

- 1.1 The site is a two storey end of terrace single family dwelling situated on the east side of Saville Row, a small residential mews to the rear of Green Street heralding from the early 20<sup>th</sup> century. The mews is characterised by small residential dwellings of uniform design and appearance.

**2. Proposal**

- 2.1 Permission is sought for the subdivision of the site occupied by No.10 Saville Row and the erection of a two storey 3-bed single family dwelling to the side.

**3. Relevant Planning Decisions**

- 3.1 TP/10/0733 – Subdivision of site and erection of 1 x 3- bed single family dwelling, including room in loft space – Withdrawn (17/08/10)

**4. Consultations**

4.1 Statutory and non-statutory consultees

- 4.1.1 Any comments from Traffic and Transportation, Education or Place Shaping will be reported at the meeting.

4.2 Public

- 4.2.1 Consultation letters were sent to 14 surrounding properties (including all of the attached terraced properties lining Saville Row). In response, 8 letters of objection were received raising all or some of the following concerns:

- Increase in parking demand without dedicated off-street provision.
- Out of character with the remainder of the terrace.
- Unacceptable impact on summer house.
- Noise, disturbance and access issues during construction.

- 4.2.2 In relation to the final point raised, noise and disturbance arising from construction is not a material planning consideration: controls exist in separate legislation beyond the remit of planning.

**5. Relevant Policy**

5.1 Local Development Framework – Core Strategy

At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance:

Core Policy 4: Housing quality

Core Policy 5: Housing types

Core Policy 6: Housing need

CP30: Maintaining and improving the quality of the built and open environment

## 5.2 Unitary Development Plan

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

(II)GD3	Aesthetic and functional design
(II)GD6	Traffic generation
(II)GD8	Access & servicing
(II)H6	Size and tenure of new developments
(II)H8	Privacy
(II)H9	Amenity space
(II)H10	Replacement garage/car parking
(II)H12	Residential extensions
(II)H14	Continuous façade
(II)H15	Roof extensions

## 5.3 London Plan

Policy 3A.1	Increasing London's supply of housing
Policy 3A.2	Borough housing targets (see also table 3A.1)
Policy 3C.21	Improving Conditions for Cycling
Policy 3C.23	Parking strategy (see also Annex 4)
Policy 4A.6	Sustainable Design and Construction
Policy 4A.12	Flooding
Policy 4A.13	Flood risk management
Policy 4B.3	Maximising the potential of sites (see also Table 4B.1)
Policy 4B.8	Respect local context and communities
Annex 4	Parking standards.

## 5.4 Other Material Considerations

PPS1: Delivering Sustainable Communities  
 PPS3: Housing  
 PPG13:Transport

## 6. **Analysis**

### 6.1 Principle

- 6.1.1 The proposal would be compatible with Policies 3A.1, 3A.2 and 4B.3 of the London Plan and Core Policy 5 of the Core Strategy insofar as it provides an addition to the Borough's housing stock which actively contributes towards both Borough specific and London-wide strategic housing targets and indeed the Strategic Housing Market Assessment (2010) that would seek to encourage the provision of larger family dwellings. However, regard must be given to recent changes to PPS3:Housing (June 2010) that sees a reclassification of 'brownfield development' to exclude types of development that fall within private residential gardens. Thus, while strategic guidance adopts a general presumption against development defined as 'greenfield' by default, each case needs to be assessed on its merits having regard to the compatibility of the proposed development with the surrounding area

6.1.2 With this in mind the context of the site and scope of the scheme carries significant weight and it is considered on balance that due to the regular size of the plot with ample street frontage and consistent footprint, the compatible configuration of the subdivided plots, as well as the design merits of the scheme that sees a wider integration to the attached dwelling with comparable proportions, the principle for development can be established having regard to Policy PPS3:Housing.

## 6.2 Density

6.2.1 The site has a PTAL rating of 1b and with reference to the London Plan, an appropriate density range would be 150-2000 hrph. The proposal would result in 225.5 habitable rooms per hectare. This falls above the recommended amount of 150-250 hrph and suggest an overdevelopment of the site. However, it must be acknowledge that advice contained in PPS1 and PPS3 suggests a numerical assessment of density must not be the sole test of acceptability in terms of the integration of a development into the surrounding area and that weight must also be given to the attainment of appropriate scale and design relative to character and appearance of the surrounding area.

6.2.3 In this regard, the proposed dwelling would be attached to the end of the existing two storey terraced property. Saville Row and the surrounding area is characterised by two storey terraced properties with hipped roofs of uniform design. Following revisions to the scheme, the development now draws from many of the key elements of the attached terrace and is of an overall bulk and mass comparable to the remaining properties ensuring that the development sufficiently integrates into the former terraced group albeit with a modest increase in the overall width of the frontage. However, within the context of the terrace, it is considered that this is not discernable. Moreover, it is clear that in relation to the pattern and type of development indicative of the area with narrow frontages and uniform plot sizes, the imposition of a further terraced unit would sufficiently integrate with the surrounding properties, street scene and prevalent character of the area.

## 6.3 Effect on Residential Amenity

6.3.1 In the determination of this application due regard must be given to the potential impact of the new residential development on the amenities enjoyed by neighbouring properties. The scheme would secure a common alignment of built form to the front elevation and first floor rear elevation. At ground floor a modest projection to the rear extends some 3.09m in depth. Policy (II)H12 of the Unitary Development Plan seeks to ensure that residential extensions do not exceed 2.8m in depth or where site conditions permit a larger extension should a line taken at 45-degrees from the midpoint of the neighbours' nearest first floor window.

6.3.2 That proposed would not comply with this requisite albeit by a marginal amount. However, Appendix A.1.8 states that in exceptional circumstances a greater depth may be justified to secure the common alignment of rear extensions. In this regard the rear projection would be of the same depth as the original house thus securing common alignment and avoiding any impact on residential amenity.

6.3.3 In relation to the remainder of the built form, it is noted that the residents of No.31 Swan Road have objected on the basis of a perceived impact of the

built form to a summer house located to the rear of there garden and some 6m from the shared boundary. However, the ancillary nature and function of this outbuilding coupled with extensive vegetation to the shared boundary measuring some 6m in height ensures that the impact of the built form will be significantly reduced and would not as a result unacceptably impact upon residential amenity to this property.

#### 6.4 Amenity Space

- 6.4.1 With regards to the provision of amenity space, Policy (II)H9 refers to Appendix A1.7 of the Unitary Development Plan, which requires in the case of new housing that amenity space provision should be of a size equal to 100% of the total GIA of the building or a minimum of 60sqm, whichever is the greater in area. As submitted, the u-shaped configuration of the plot with tapering rear boundary shows relatively limited amenity provision to the rear of the property, which while not inconsistent with the limited garden areas of the surround, to a degree has been mitigated by the provision of dedicated and screen amenity space to the side and front of the proposed unit and indeed the retained dwelling, which would on balance serve to ensure that amenity provision is adequate.

#### 6.5 Privacy

- 6.5.1 The proposal involves the subdivision of an existing garden. It is considered that in relation to the existing adjoining and adjacent properties at Nos.10 Saville Row, 31 Swan Road and notably to 10 & 12 Westmoor Road, given the siting, orientation and separation of the proposal the additional unit would not give rise to conditions prejudicial to amenities of the neighbouring properties, nor would it give rise to undue overlooking in excess of what is currently experienced having regard to Policy (II)H8 of the Unitary Development Plan.

#### 6.6 Parking and Access

- 6.6.1 As submitted, the scheme is incapable of providing dedicated off-street parking. This arrangement is common to the properties on Saville Row. Having regard to the site and its surround with unrestricted on-street parking on the majority of roads in the area, it is considered that an absence of provision is acceptable in this instance.

#### 6.7 Sustainability

- 6.7.1 Policy 4A.6 of the London Plan (2008) relates to sustainable design and construction seeking to ensure that the design and construction of the proposed development has regard to environmental sustainability issues such as energy and water conservation, renewable energy generation, and efficient resource use. The Council would adopt a strategic objective to achieve the highest standard of sustainable design and construction throughout the Borough. In this regard, accreditation through the BRE Environmental Assessment Method: The Code for Sustainable Homes should seek to achieve a Code 3 rating or above.
- 6.7.2 In accordance with London Plan Policy 3A.5: Housing Choice, advice given in the London Plan: Accessible London SPG and PPS3: Housing, the Council

promote the provision of inclusive design and accessible housing, through building to Lifetime Home standards.

- 6.7.3 Details relating to the achievement of wider Council objectives for sustainable design and construction have been omitted from the scheme. In this regard, a condition will be levied to ensure compliance to the satisfaction of the Local Planning Authority.

## 6.8 Other Matters

- 6.8.1 The majority of concerns from residents received by Council related to construction nuisance and access associated with the build. While these concerns are covered by other pieces of legislation beyond the remit of the Planning Authority, it is prudent to exercise our legislative remit to secure details of construction methodology to ensure any potential impacts are addressed at the earliest possible point and adequate measures to minimise harm be secured.

## 7. **Conclusion**

- 7.1 The proposed scheme is acceptable and would provide for an efficient use of the land which through overall design, bulk mass and scale would serve to integrate with the pattern of development that defines this small mews.

- 7.2 It is considered, therefore, that the proposals are acceptable for the following reasons:

1. The proposed new dwelling would contribute to increasing the overall housing stock of the Borough and contribute to London-wide strategic housing targets having regard to Policy CP5 of the Core Strategy and Policies 3A.1 and 3A.2 of the London Plan.
2. The proposed new dwelling by virtue of its size, siting and design would satisfactorily integrate into the street scene as well as providing an acceptable level of amenity space for both the existing and proposed dwelling having regard to Policy CP30 of the Core Strategy and Unitary Development Plan Policies (II)GD3 and (II)H9.
3. The proposed new dwelling due to its size, siting and design does not unduly affect the amenities or privacy of adjoining or nearby residential properties having regard to Policy CP30 of the Core Strategy and Unitary Development Plan Policies (II)H8 and (II)H12.
4. The proposed development provides sufficient parking for the new dwelling and the existing dwelling and thus does not give rise to conditions prejudicial to the free flow and safety of traffic on the adjoining highways having regard to Policies (II)GD6 of the Unitary Development Plan, 3C.23 of the London Plan and PPG13.

## 8. **Recommendation**

- 8.1 That planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

08/01/RG/47LR/02  
08/01/RG/47LR/02 A  
08/01/RG/47LR/02 B  
08/01/RG/47LR/04

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The development shall not commence until details of the external finishing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

3. The development shall not commence until details of refuse storage facilities including facilities for the recycling of waste to be provided within the development, in accordance with the London Borough of Enfield – Waste and Recycling Planning Storage Guidance ENV 08/162, have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or use commences.

Reason: In the interests of amenity and the recycling of waste materials in support of the Boroughs waste reduction targets.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any amending Order, no external windows or doors other than those indicated on the approved drawings shall be installed in the development hereby approved without the approval in writing of the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

5. The development shall not commence until plans detailing the existing and proposed ground levels including the levels of any proposed buildings, roads and/or hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure that levels have regard to the level of surrounding development, gradients and surface water drainage.

6. The development shall not commence until details of the surfacing materials to be used within the development including footpaths, access roads and parking areas and road markings have been submitted to and approved in writing by the Local Planning Authority. The surfacing shall be carried out in accordance with the approved detail before the development is occupied or use commences.

Reason: To ensure that the development does not prejudice highway safety and a satisfactory appearance.

7. The site shall be enclosed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The means of enclosure

shall be erected in accordance with the approved detail before the development is occupied.

Reason: To ensure satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interests of highway safety.

8. Notwithstanding Classes A, B, C, D and E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 or any amending Order, no buildings or extensions to buildings shall be erected at the proposed new houses or within their curtilages without the prior approval in writing of the Local Planning Authority.

Reason: In order to protect the amenities of the adjoining properties and to ensure adequate amenity space is provided.

9. Evidence confirming that the development achieves a Code for Sustainable Homes rating of no less than 'Level 3' shall be submitted to and approved in writing by the Local planning Authority. The evidence required shall be provided in the following formats and at the following times:
  - a. a design stage assessment, conducted by an accredited Code Assessor and supported by relevant BRE interim certificate, shall be submitted at pre-construction stage prior to the commencement of superstructure works on site; and,
  - b. a post construction assessment, conducted by and accredited Code Assessor and supported by relevant BRE accreditation certificate, shall be submitted following the practical completion of the development and prior to the first occupation.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior approval of the Local Planning Authority.

Reason: In the interests of addressing climate change and to secure sustainable development in accordance with the strategic objectives of the Council and Policies 4A.1, 4A.2, 4A.3 and 4A.9 of the London Plan as well as PPS1.

10. The development shall not commence until details of the siting, number and design of secure/covered cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed and permanently retained for cycle parking.

Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards.

11. The development shall not commence until an undertaking to meet with best practice under the Considerate Constructors Scheme and achieve formal certification has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing roads and to minimise disruption to neighbouring properties.

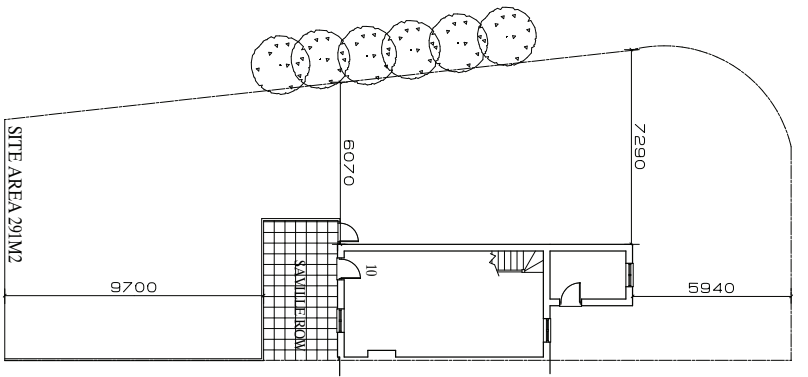
12. That development shall not commence on site until a construction methodology has been submitted to and approved in writing by the LPA. The construction methodology shall contain: (i) photographic condition survey of the roads and footways leading to the site of construction, (ii) details of construction access and vehicle routing to the site, (iii) arrangements for vehicle servicing and turning areas, (iv) arrangements for the parking of contractors vehicles, (v) arrangements for wheel cleaning, (vi) arrangements for the storage of materials, (vii) arrangements for deliveries, (viii) hours of work, and, (ix) any and all works to maintain and make good the existing private access to the site both during and following construction. The development shall then be undertaken in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing roads and to minimise disruption to neighbouring properties.

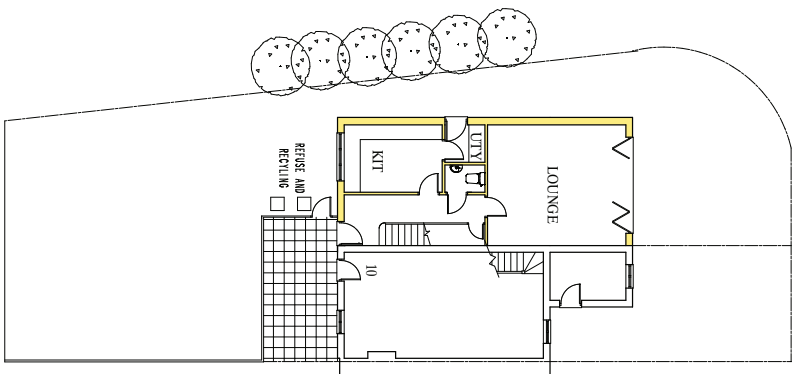
13. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the decision notice.

Reason: To comply with the provisions of S.51 of the Planning & Compulsory Purchase Act 2004.

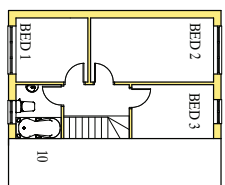




EXISTING GROUND FLOOR AND SITE PLAN



PROPOSED GROUND FLOOR AND SITE PLAN



PROPOSED FIRST FLOOR



LOCATION PLAN 1:500

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No.	Date	By	Comments

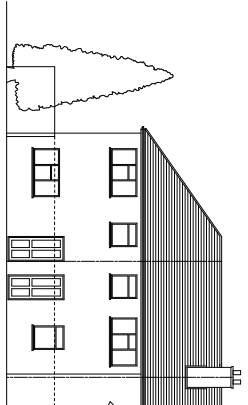
Site Address  
 10 SAVILLE ROW  
 ENFIELD  
 EN3 7LD

DATE: 04/10  
 ERECTION OF ATTACHED HOUSE

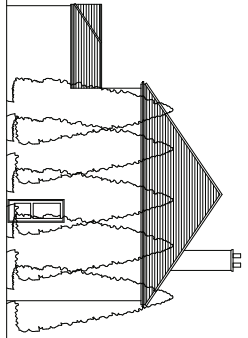
Prepared by	Scale	Date	Drawn by
PLANNING SCHEME	1:100	04/10	AJC

**Alan Cox associates**  
 ARCHITECTURAL & PLANNING CONSULTANTS  
 TEL: 020 - 8400 - 7777  
 FAX: 020 - 8364 - 9586

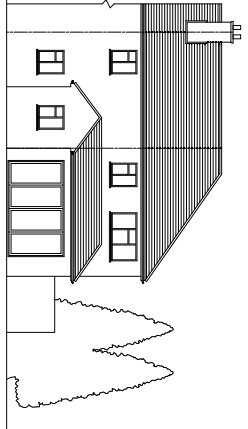
Drawn	375110	Rev	A
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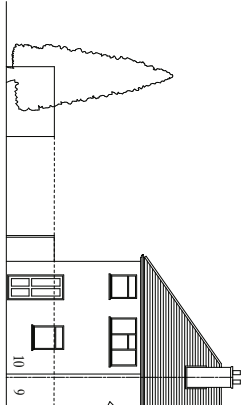
PROPOSED FRONT ELEVATION



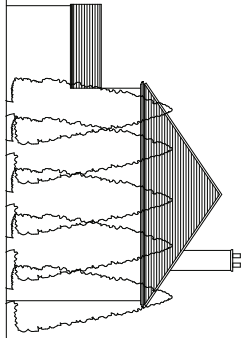
PROPOSED SIDE ELEVATION



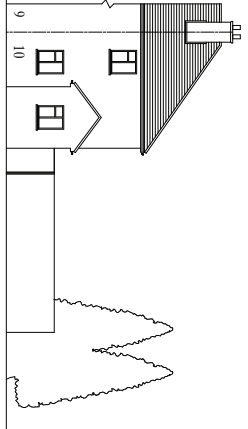
PROPOSED REAR ELEVATION



EXISTING FRONT ELEVATION



EXISTING SIDE ELEVATION



EXISTING REAR ELEVATION

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## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 16<sup>th</sup> December 2010

**Report of**  
Assistant Director, Planning &  
Environmental Protection

**Contact Officer:**  
Aled Richards Tel: 020 8379 3857  
Andy Higham Tel: 020 8379 3848  
Mr R. Lancaster Tel: 020 8379 4019

**Ward:** Grange

**Application Number :** TP/10/1336

**Category:** Other Development

**LOCATION:** 8, UPLANDS WAY, LONDON, N21 1DG

**PROPOSAL:** Installation of a shed to provide storage ancillary to the nursery, sited on the side of the property adjacent to Langham Gardens.

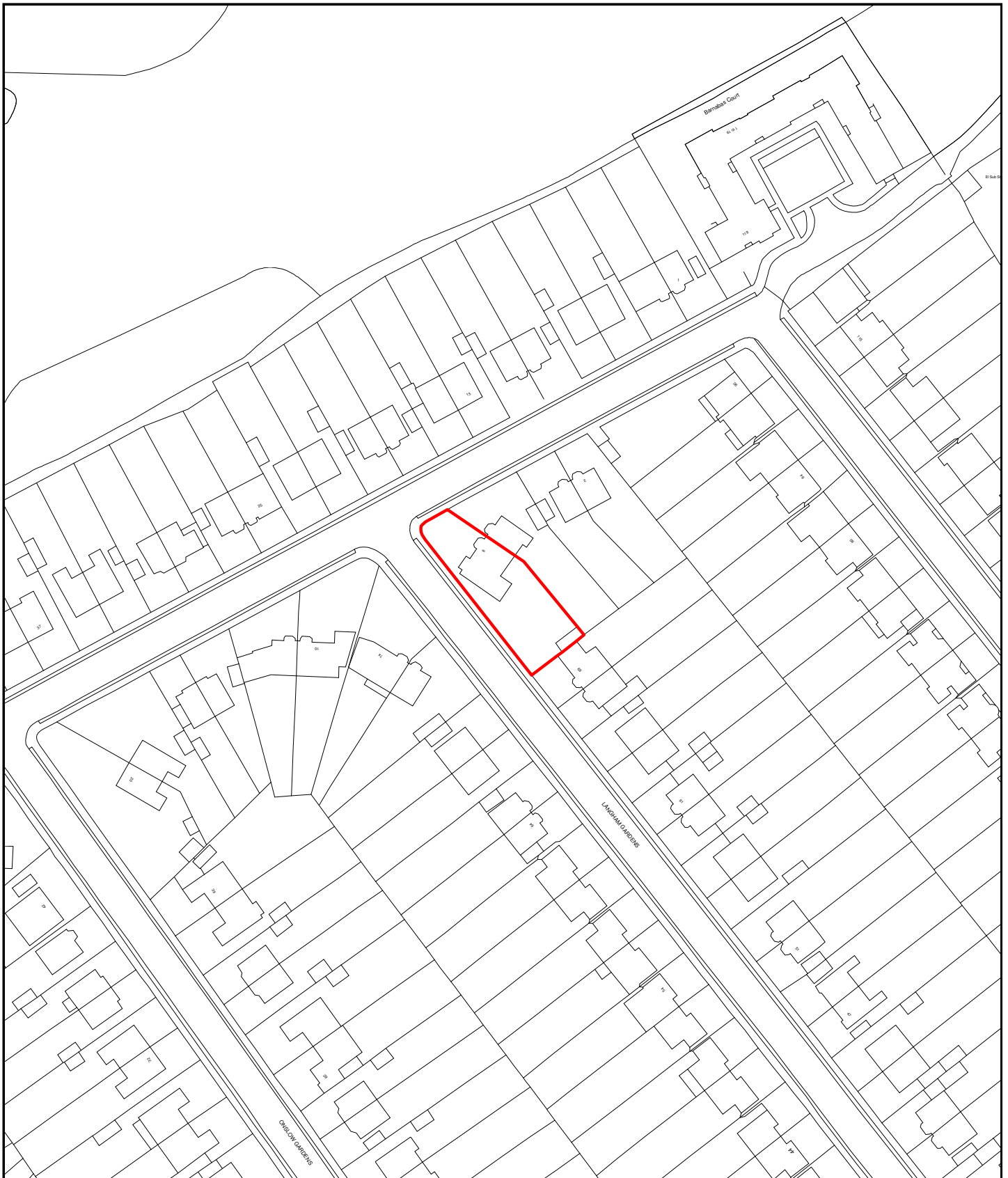
**Applicant Name & Address:**  
Mr & Mrs John and Marie Coutinho  
8, UPLANDS WAY,  
LONDON,  
N21 1DG

**Agent Name & Address:**

**RECOMMENDATION:** That planning permission is **GRANTED** subject to conditions.

#### Note for Members

Although an application of this nature would normally be determined under delegated authority, due to the local interest in the Nursery use of the property, the proposal is reported to Planning Committee for consideration.



### Development Control



Scale - 1:1250  
Time of plot: 08:25

Date of plot: 03/12/2010

## **1.0 Site and Surroundings**

- 1.1 The property is a two storey semi-detached property on the southern side of Uplands Way on the corner of its junction with Langham Gardens. The property contains a children's day nursery operating on the ground floor of the house for up to 20 children (ref: TP/96/0971/5). The surroundings area is residential character.

## **2.0 Proposal**

- 2.1 Permission is sought for a shed to provide storage space ancillary to the nursery. The shed would be sited to the side of the property adjacent to Langham Gardens approximately 1m in from the boundary. The boundary wall is approximately 2m above pavement level and due to a difference in ground level s at this boundary; the shed would be built on a level lower than the pavement.
- 2.2 The shed would be 3.6m deep and between 1.7 and 2.9m wide. It would be 2.5m high with a slightly inclined mono-pitch roof to allow for water run-off. The shed would be constructed from timber.
- 2.3 The application also includes rebuilding of wall between the house and flank boundary wall which contains a gate/door through to the rear garden. The wall would be rebuilt to the same height and size and of the same materials.

## **3.0 Relevant History**

- 3.1 TP/96/0971/2 – Variation of Condition 4 of approval under Ref: TP/96/0971/1 to allow increase in the number of children attending nursery from 10 – 15 – Granted February 1999.
- 3.2 TP/96/0971/4 - Variation of Condition 4 of approval under Ref: TP/96/0971/2 to allow increase in the number of children attending nursery from 15 – 20 – Refused Feb 2005.
- 3.3 TP/96/0971/5: Variation of condition 4 to allow an increase in numbers of children attending to a maximum of 20. Granted subject to conditions 30-Dec-2009.
- 3.4 TP/96/0971/8: Variation of Condition 2 granted under ref: TP/96/0971/5 to allow use of garden for outdoor play for a 1 hour time period only between the hours of 10.00hrs - 12.00hrs and a 1 hour time period only between the hours of 14.00hrs and 16.00hrs together with an increase from 5 to 10 children using the garden area at any one time. No decision but reported elsewhere on this Agenda

## **4.0 Consultations**

### **4.1 Statutory and non-statutory consultees**

- 4.1.1 The Early Years Team support the proposed application.

4.1.2 Environmental Health raises no objection.

4.1.3 Traffic and Transportation raises no objection.

4.2 Neighbours:

4.2.1 Consultation letters were sent to 63 neighbouring properties and a notice was displayed at the site. In response 13 letters were received with 1 letter stating no objection to the scheme. The remaining 12 letters raised the following objections:

- Commercial enterprise in a residential area
- Premises unsuitable for a nursery of this size
- negative affect on house prices
- Unacceptable increase in the proportion of premises used as a nursery
- Impact on the character, environment and amenities of the area

4.2.2 Petition

A petition containing 9 signatures objecting to the proposal on the aforementioned ground, was also received

**5.0 Relevant Policies**

5.1 Core Strategy Policies

At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance:

CP30: Maintaining and improving the quality of the built and open environment

CP31: Built and landscape heritage

CP34: Parks, playing fields and other open spaces

SO1 Enabling and focusing change

SO2 Environmental sustainability

SO3 Community cohesion

SO5 Education, health and wellbeing

SO6 Maximising economic potential

SO10 Built environment

CP8 Education

CP9 Supporting community cohesion

CP13 Promoting economic prosperity

CP24 The road network

CP25 Pedestrians and cyclists

CP26 Public transport

CP30 Maintaining and improving the quality of the built and open environment

5.2 UDP Policies

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and updates policies and development standards within the Development Management Document. The following are of relevance

- (II) GD1 – New developments are appropriately located
- (II) GD3 – Aesthetic and functional designs
- (II) GD6 – Traffic generation
- (II) GD8 – Site access and servicing
- (II) H8 – Privacy and over-looking
- (II) H9 – Provision of amenity space
- (II) H12 – Extensions
- (II) T13 – Access
- (II) CS1 – Community Services
- (II)CS4 Day nurseries

### 5.3 London Plan

The following policies of the London Plan (GLA) – Spatial Development Strategy for Greater London (2004) may also be of relevance:

- 3A.14 Addressing the needs of London's diverse population
- 3A.18-3A.23 Protection and Enhancement of Social Infrastructure and Community Facilities and Health Impacts
- 3C.1 Integrating Transport and Development
- 3C.22 Cycle Parking Strategy
- 3C.23 Parking Strategy
- 4B.1 Design Principles
- 4B.3 Maximising the potential of Sites
- 4B.6 Sustainable Design and Construction
- 4B.7 Respect local context and communities

### 5.4 Other Material Considerations:

- PPS1 Delivering Sustainable Communities
- PPG13 Transport

## 6.0 **Analysis**

- 6.1 The key issues are whether the proposed shed would have a detrimental effect on the character and appearance of the area and whether it would harm the residential amenities of neighbouring occupiers.
- 6.3 The proposed shed has a footprint of 3.6m by 1.7m / 2.9m giving a floor area of approximately 8sqm. It would be 2.5m high with a mono-pitch roof. The proposed shed would be built on ground levels approximately 0.5m below the level of the pavement. There is also a 2m high fence on the boundary of the property and the footway of Langham Gardens. Therefore, the ridge line of the shed would be approximately level with the top of the boundary wall and as a result, there would be limited visibility of the shed in Langham Gardens and the wider street scene.
- 6.4 The shed would be sited behind a 2.2m side wall, which is to be rebuilt and is approximately 14m from the back edge of the footway on Uplands Way.

Therefore it is considered that the proposal would also have a limited impact on the street scene as perceived from Uplands Way.

- 6.5 In addition, even with a limited presence in the street scene, given the proposed timber construction of the shed, it is considered it would have the appearance of a typical residential shed, suited to the residential character of the surrounds.
- 6.6 In terms of effect on residential amenity, its position away from the residential boundaries of the adjoining properties mean that it would have no adverse effect on the light or outlook available to neighbouring residential occupiers.
- 6.7 The use of, and comings and goings to and from, the shed are not likely to be of an intensity that would cause undue noise and disturbance to surrounding residential occupiers or be out of character with the residential setting. Moreover, it is considered that the limited size of the shed would not result in any material intensification in the use of the property as a nursery.

## **7. Conclusion**

- 7.1 In the light of the above, the application is recommended for approval for the following reason:
1. The proposed shed, by virtue of its size, siting and design, would not have a detrimental effect on the character and appearance of the surrounding area or have a harmful effect on the amenities of neighbouring residential occupiers, having regard to Core Strategy Objective 10 and Policy 30 as well as Policies (II)GD3, (II)H8, (II)H12, (II)CS1, (II)CS4 and (II)EN30 of the Unitary Development Plan.

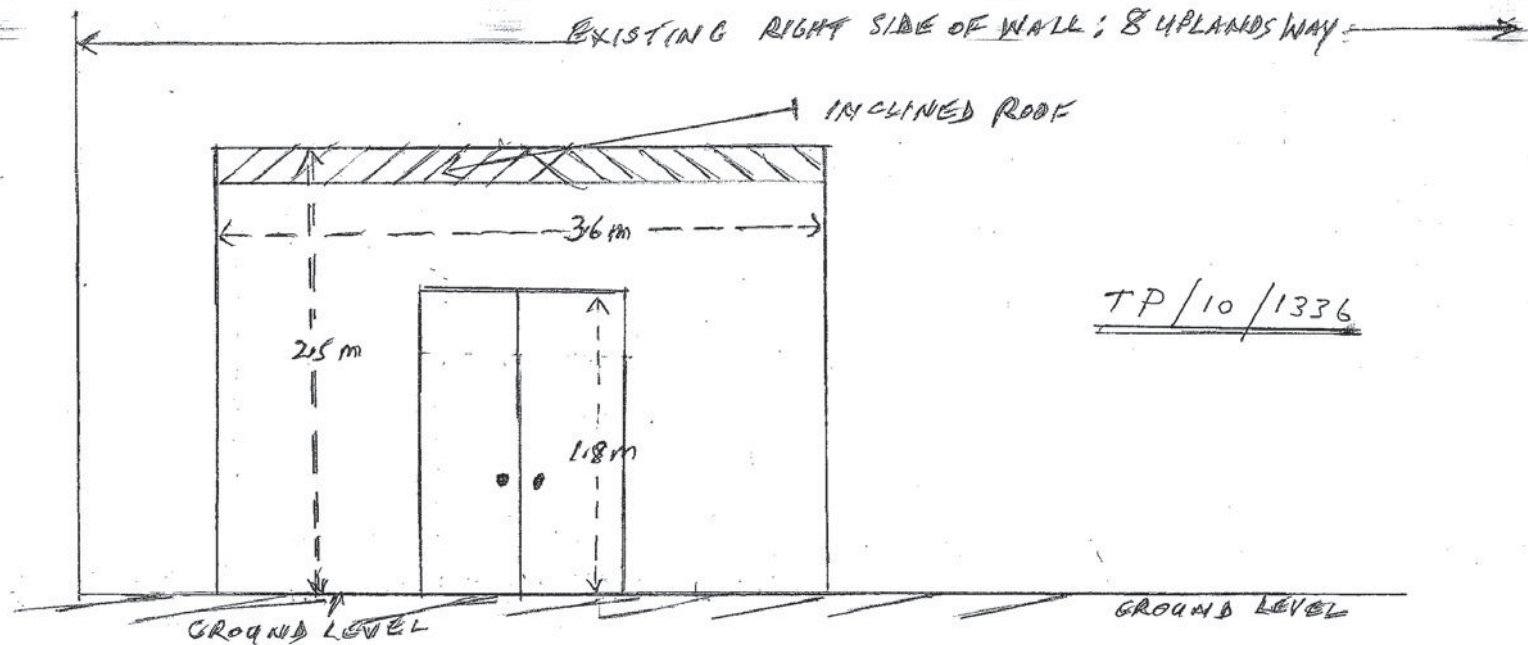
## **8 Recommendation**

- 8.1 That planning be approved subject to the following conditions:
1. C60 APPROVED PLANS.
  2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any amending Order, no balustrades or other means of enclosure shall be erected on the roof of the extension(s). No roof of any part of the extension(s) shall be used for any recreational purpose and access shall only be for the purposes of the maintenance of the property or means of emergency escape.  
  
Reason: To safeguard the privacy of the occupiers of adjoining properties.
  3. The proposed shed, hereby approved, shall be of timber construction and coloured brown or other recessive colour. The shed shall be maintained as such thereafter.  
  
Reason: To safeguard the character and appearance of the surrounding area.
  4. C51A TIME LIMITED PERMISSION.

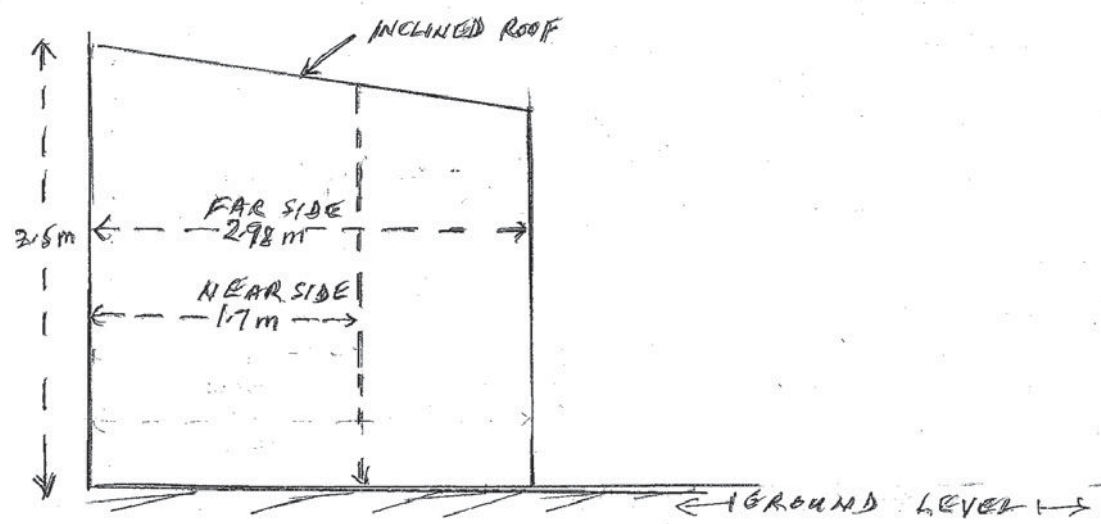




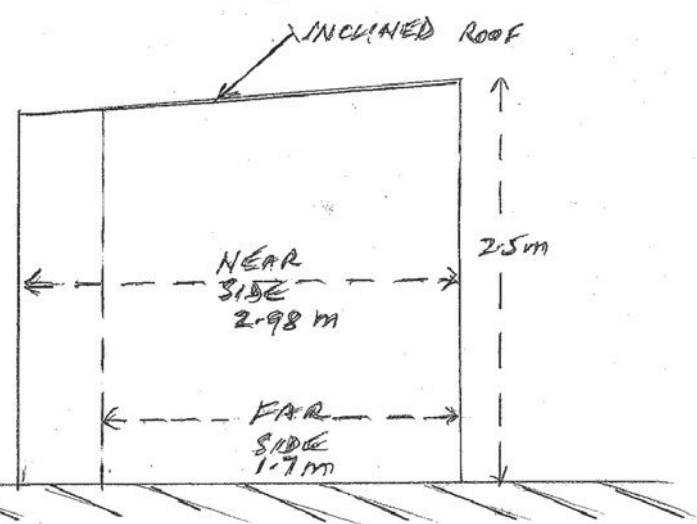
(NOT TO PRECISE SCALE)



TP/10/1336



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

LONDON BOROUGH OF ENFIELD  
26 OCT 2010  
DEVELOPMENT SERVICES

## LONDON BOROUGH OF ENFIELD

### PLANNING COMMITTEE

Date : 16<sup>th</sup> December 2010

**Report of**

Assistant Director, Planning & Environmental Protection

**Contact Officer:**

Aled Richards Tel: 020 8379 3857  
 Andy Higham Tel: 020 8379 3848  
 Mr R. Lancaster Tel: 020 8379 4019

**Ward:** Grange

**Application Number :** TP/96/0971/8

**Category:** Other Development

**LOCATION:** 8, Uplands Way, London, N21

**PROPOSAL:** Variation of condition 2 granted under ref: TP/96/0971/5 to allow use of garden for outdoor play for a 1 hour time period only between the hours of 10.00hrs - 12.00hrs and a 1 hour time period only between the hours of 14.00hrs and 16.00hrs together with an increase from 5 to 10 children using the garden area at any one time.

**Applicant Name & Address:**

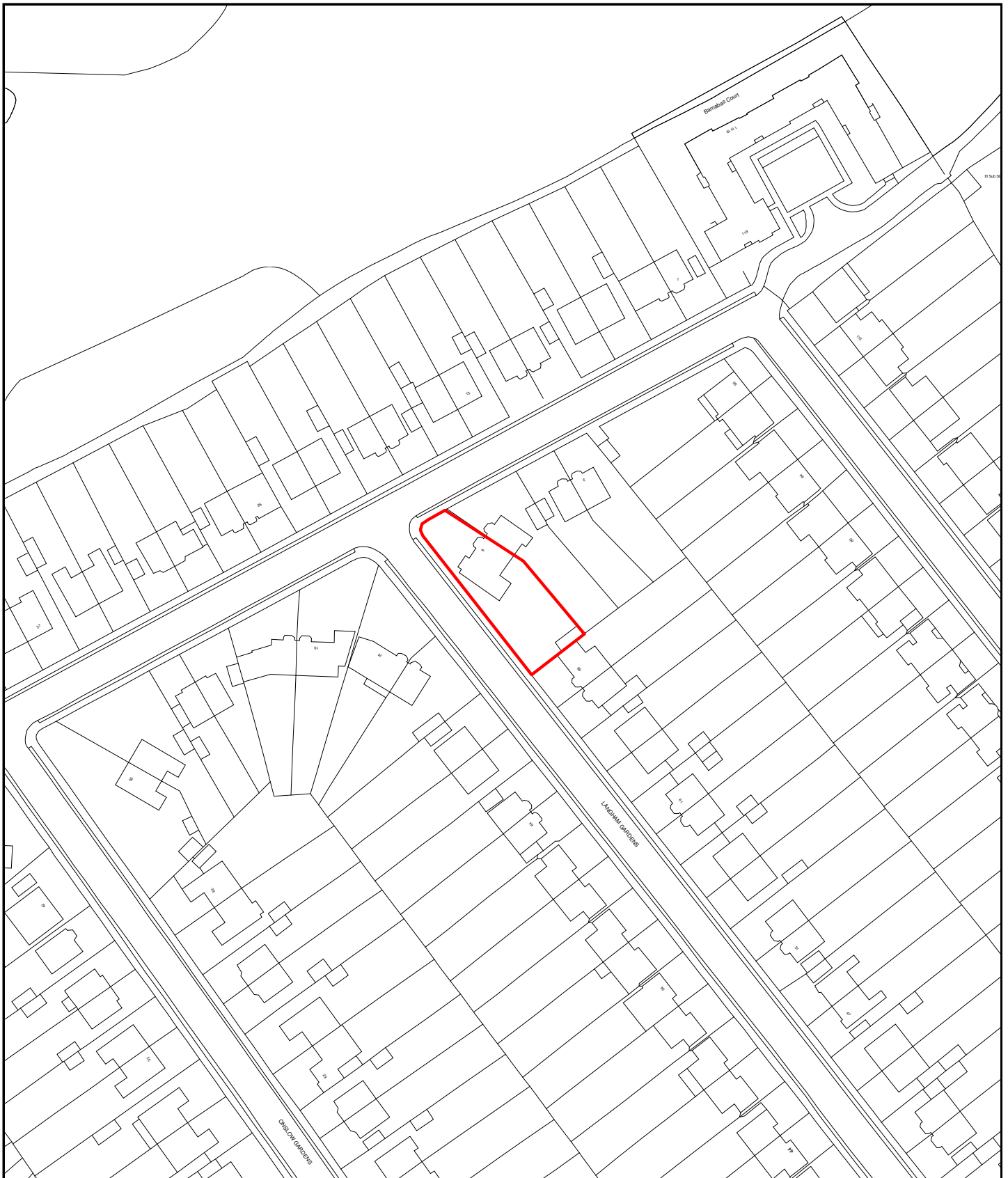
Mr & Mrs John and Marie Coutinho  
 8, UPLANDS WAY,  
 LONDON,  
 N21 1DG

**Agent Name & Address:**

**RECOMMENDATION:** That planning permission be **GRANTED** subject to conditions.

**Note for Members**

Although an application of this nature would normally be determined under delegated authority, due to the local interest in the Nursery use of the property and the concerns of local residents, Councillor Neville has requested that the application be reported to Planning Committee for consideration.



### Development Control



Scale - 1:1250  
Time of plot: 08:23

Date of plot: 03/12/2010

## **1.0 Site and Surroundings**

- 1.1 1.1 The property is a two storey semi-detached property on the southern side of Uplands Way on the corner of its junction with Langham Gardens. The property contains a children's day nursery operating on the ground floor of the house for up to 20 children (ref: TP/96/0971/5). The surroundings area is residential character.

## **2.0 Proposal**

- 2.1 Permission is sought to vary Condition 2 of the relevant planning permission to allow children to play in the rear garden for a one hour time period only between 10.00 - 12.00 and a one hour time period only between 14.00 and 16.00. Currently the nursery is restricted to two half-periods between 10.30-11.00 hours and 15.00-15.30 hours.
- 2.2 The proposal also involves increasing the maximum number of children allowed in the garden at any one time from 5 to 10 children at any one time.

## **3.0 Planning History**

- 3.1 TP/96/0971/2 – Variation of Condition 4 of approval under Ref: TP/96/0971/1 to allow increase in the number of children attending nursery from 10 – 15 – Granted February 1999.
- 3.2 TP/96/0971/4 - Variation of Condition 4 of approval under Ref: TP/96/0971/2 to allow increase in the number of children attending nursery from 15 – 20 – Refused Feb 2005.
- 3.3 TP/96/0971/5: Variation of condition 4 to allow an increase in numbers of children attending to a maximum of 20. Granted subject to conditions 30-Dec-2009.
- 3.4 TP/96/0971/6: Details of the drop off / pick up and access arrangements submitted pursuant to condition 6 of approval granted under ref: TP/96/0971/5 for the variation of condition 4 to allow an increase in numbers of children attending to a maximum of 20. Approved 24-May-2010.
- 3.5 TP/96/0971/7: Details of travel plan submitted pursuant to condition 5 of approval granted under ref: TP/96/0971/5 for the variation of condition 4 to allow an increase in numbers of children attending to a maximum of 20. Approved 11/07/2010.
- 3.6 TP/10/1336: Installation of a shed to provide storage ancillary to the nursery, sited on the side of the property adjacent to Langham Gardens. This application is undetermined and is reported elsewhere on this Agenda.

## **4.0 Consultations**

### **4.1 Statutory and non-statutory consultees**

- 4.1.1 The Early Years Team support the proposed application.
- 4.1.2 Environmental Health raises no objection.

4.1.3 Traffic and Transportation raises no objection.

4.2 Neighbours:

4.2.1 Consultation letters were sent to 63 neighbouring properties and a notice was displayed at the site. In response 27 letters were received with 13 of those letters either stating no objections or support for the scheme. The remaining 14 letters raised the following objections:

- Noise and disturbance and adverse effect on neighbouring occupiers' amenities and character of area
- Commercial enterprise in a residential area
- Applications should have been included with previous application to extend the numbers of children permitted
- Premises unsuitable for a nursery of this size
- negative affect on house prices
- increases proportion of premises used as a nursery

4.2.2 Petition

A petition containing 10 signatures was also received objecting to the proposal on the aforementioned grounds

**5.0 Relevant Policies**

5.1 Core Strategy Policies

At the meeting of the full Council on 10th November 2010, the Core Strategy of the Local Development Framework was approved. The document and the policies contained therein are now material considerations to be taken into account when considering the acceptability of development proposals. The following are of relevance:

- SO1 Enabling and focusing change
- SO2 Environmental sustainability
- SO3 Community cohesion
- SO5 Education, health and wellbeing
- SO6 Maximising economic potential
- SO10 Built environment
  
- CP8 Education
- CP9 Supporting community cohesion
- CP13 Promoting economic prosperity
- CP24 The road network
- CP25 Pedestrians and cyclists
- CP26 Public transport
- CP30 Maintaining and improving the quality of the built and open environment

5.2 UDP Policies

After the adoption of the Core Strategy, a number of UDP policies are retained as material considerations pending the emergence of new and

updates policies and development standards within the Development Management Document. The following are of relevance

- (II) GD1 – New developments are appropriately located
- (II) GD3 – Aesthetic and functional designs
- (II) GD6 – Traffic generation
- (II) GD8 – Site access and servicing
- (II) H8 – Privacy and over-looking
- (II) H9 – Provision of amenity space
- (II) H12 – Extensions
- (II) H15 – Roof extensions
- (II) T13 – Access
- (II) CS1 – Community Services
- (II)CS4 Day nurseries

### 5.3 London Plan Policies

The following policies of the London Plan (GLA) – Spatial Development Strategy for Greater London (2004) may also be of relevance:

- 3A.14 Addressing the needs of London’s diverse population
- 3A.18-3A.23 Protection and Enhancement of Social Infrastructure and Community Facilities and Health Impacts
- 3C.1 Integrating Transport and Development
- 3C.22 Cycle Parking Strategy
- 3C.23 Parking Strategy
- 4B.1 Design Principles
- 4B.3 Maximising the potential of Sites
- 4B.6 Sustainable Design and Construction
- 4B.7 Respect local context and communities

### 5.4 Other Material Considerations:

- PPS1 Delivering Sustainable Communities
- PPG13 Transport

## 6.0 **Analysis**

- 6.1 The principle of a children’s day nursery operating from the property on the ground floor of the house has already been established and most recently, the number of children attending was allowed to increase to 20 in January 2010 (ref: TP/96/0971/5). A condition was attached to this approval requiring that:

*‘That the garden area shall be used for outdoor recreation in connection with the use of the ground floor of the premises as a children’s nursery only between the hours of 1030 to 1100 and 1500 to 1530 and that no more than five children may use the garden area at any one time unless otherwise agreed in writing by the Local Planning Authority.*

*Reason: to ensure that the proposed development does not unduly prejudice the amenities of nearby occupiers of adjoining and nearby residential properties.’*

- 6.2 The key issue here is whether an increase of 5 in the number of children using the garden at any one time for a maximum of an hour within two 2 hours slots (i.e. 1 hour between 10-12 and 2-4) would be acceptable in terms of noise and disturbance to neighbouring residential occupiers.
- 6.3 In assessing any proposal involving a children's day nursery, the criteria and guidance of Policy (II)H2 is applicable. In the preamble to this Policy, paragraph 9.2.6, states that certain non-residential uses are appropriate in residential areas where they serve the needs of the local communities. In particular, day nurseries are specifically mentioned as an example of an appropriate use and should be assessed in accord with the provisions of Appendix A1.6. This Appendix states that:
- “For semi-detached houses, noise and disturbance maybe a concern and therefore the number of children involved will be an important consideration, that car facilities will need to be carefully located and that the nursery should be of modest scale, probably confined to part of the ground floor”.
- “The provision of outside play space is highly desirable and the Council will take into account when considering the overall acceptability of any proposed day nursery”.
- 6.4 As identified in the Council's Unitary Development Plan, the main consideration is the relationship of the proposed use of the garden to the surrounding residential environment with particular emphasis on the noise and disturbance associated with the scale of use.
- 6.5 As a semi detached dwelling, policy acknowledges that the property is appropriate for a children's day nursery of an appropriate scale, and under previous applications the use has been limited to the ground floor and for a maximum of 20 children.
- 6.6 A further consideration as identified by the Unitary Development Plan is the desirability of outside play space. In previous applications, local resident's have raised concerns regarding the impact of the proposed additional numbers on the quality of care provided by the Nursery in particular the provision of outdoor play, given the extant conditions which limit outdoor play.
- 6.7 There are no statutory standards for minimum outdoor space standards, the quality of the overall nursery provision being assessed by Ofsted. However Early Years Statutory guidance highlights that 'Wherever possible, there should be access to an outdoor play area, and this is the expected norm for providers. In instances where outdoor space cannot be provided, outings should be planned and taken on a daily basis (unless circumstances make this inappropriate, for example unsafe weather conditions).
- 6.8 In this case, the extant permission allows use of the garden to the property for a maximum of 5 children for a total of one hour for the entire day. This limits the time for each child to have access to outdoor play to 15 minute. The applicant has previously indicated that trips to the open space on Cheyne Walk situated approximately 250m away are undertaken for one to one-and-half hours daily and where the open space is muddy, walks to the shops in The Grangeway are undertaken.



- 6.9 Whilst there are no planning grounds to object to these arrangements, the Applicant wishes to increase use of the garden by the children and no objection from either the Early Years team or Environmental health have been raised.
- 6.10 Nevertheless, objections have been raised by local residents regarding the proportion of the house used as a Nursery and the effect on residential amenities. It must be noted that the proposal does not increase the amount of floor space given over to the nursery use. Moreover, the proposal is not considered to materially harm the ability of the premises to function as a residential unit and objections raised regarding the impact of the proposal on house prices are not material planning considerations.
- 6.11 There would though be an increase in the use of the rear garden accentuated by its regularity which may not be typical of a normal residential property. The nearest property would be No 10 Uplands Way, whose rear garden abuts that of the Nursery. The character of the surrounding residential area is also noted. It must also be acknowledged that the use of a garden by individuals will vary with some generating more noise and activity than others. However, the rear garden is of a reasonable size that would permit play in areas away from the boundary. In addition, weight has to be given to the current level of garden use.
- 6.12 Taking these considerations into account, on balance, it is considered that the increase in noise and activity would be relatively modest and would not materially harm the existing levels of amenity in this instance. Thus it is felt that the proposal to increase hours and numbers of children using the garden at any one time would not give rise to conditions prejudicial to the residential character of the area or the residential amenities of neighbouring and nearby occupiers.

## **7. Conclusion**

- 7.1 In the light of the above and the broad policy objective in the UDP to support the delivery of community facilities appropriate to the needs of the Borough (UDP Policy (II)CS1), the application is recommended for approval for the following reason:
1. The proposed increase in the amount of time and number of children using the rear garden at any one time would not cause undue noise and disturbance to neighbouring occupiers. The proposal is considered to be in accordance with Policies of the Core Strategy Strategic Policy 5 and Core Policies 9 and 30 as well as Policies (II)CS1, (II)CS4 and (II)EN30 of the Unitary Development Plan.

## **8 Recommendation**

- 8.1 That planning permission be GRANTED subject to the following condition:
1. That the garden area shall be used for outdoor recreation in connection with the use of the ground floor of the premises as a children's nursery for a maximum of 1 hour only between the hours of 10.00 - 12.00 and 1 hour only between the hours of 14.00 and 16.00

and that no more than ten children may use the garden area at any one time unless otherwise agreed in writing by the Local Planning Authority.

Reason: to ensure that the proposed development does not unduly prejudice the amenities of nearby occupiers of adjoining and nearby residential properties.

### Monthly Decisions on Town Planning Application Appeals

- 1.1 Between the 10<sup>th</sup> November and the 30<sup>th</sup> of November, 24 appeal decisions had been received from the Planning Inspectorate. One of those was invalid. The table below confirms how many appeals were upheld and how many were dismissed. Details of each appeal can be viewed on the departmental website.

#### OVERALL PERFORMANCE

APPEALS RECEIVED	DISMISSED	ALLOWED	WITHDRAWN INVALID	PERCENTAGE DISMISSED
24	18	5	1	73% Not including invalid appeal

- 1.2 Of the overall number of appeals these have been divided between delegated decisions, i.e those made by officers under the scheme of delegation and committee decisions.

#### DELEGATED DECISIONS

No. of APPEALS	DISMISSED	ALLOWED	WITHDRAWN	PERCENTAGE DISMISSED
22	17	5	0	71%

#### COMMITTEE DECISIONS

	No. of APPEALS	DISMISSED	ALLOWED	WITHDRAWN	PERCENTAGE DISMISSED
Refusal as per officer recommendation	0	0	0	0	0%
Refusal against officer recommendation	1	1	0	0	100%

### Key Issues raised with Planning Inspector

Members will be interested to note the outcome of one of the appeals which dismissed the appeal on an application refused by Members on the 30<sup>th</sup> November 2009, The application proposed the conversion of a single family dwelling house into 2 self contained flats. The inspector whilst acknowledging that the 20% threshold has not been breached by the development felt the impact that the more intensive occupation of the property would have on the character and appearance of the area was unacceptable. The Inspector whilst noting that two car parking spaces were provided for each flat he felt that if the property were occupied more intensively not only would the off-street parking be fully utilised but pressure would also be placed on on-street parking, for example by visitors to the flats. The Inspector considered that the expanses of hard surfacing and the excess of vehicles that can be now be parked are to the detriment of the street scene. Additional on street parking would compound the situation and therefore the Inspector felt that the proposal would fail to protect residential character. In addition the lack of access to private amenity space to the upper flat was also deemed unacceptable by the Inspector.

Consequently the Inspector in this case felt that even though the 20% threshold of flat conversions within a street was not breached and that requisite car parking was included this did not necessarily entail the conversion into two flats was acceptable and felt that the inevitable on street car parking increase and the use of front gardens for car parking would have an unacceptable impact on the character of the area and impact on the street scene. It should be noted that since the 2009 decision the department has been operating a stricter approach to the conversion of family dwellings to flats as a result of the Strategic Housing Assessment and emerging stricter planning guidelines.

MUNICIPAL YEAR 2010/2011 REPORT NO. 151

MEETING TITLE AND DATE:  
PLANNING COMMITTEE  
16<sup>th</sup> December 2010

<b>Agenda – Part: 1</b>	<b>Item: 16</b>
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<b>Subject: Communities and Local Government Consultation Document on Proposals to Change Planning Fees</b>
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REPORT OF:  
Assistant Director, Planning & Environmental Protection

Contact officer  
Aled Richards; 020 8379 3857  
E mail: aled.Richards@enfield.gov.uk

### **1. EXECUTIVE SUMMARY**

1.1 This consultation document, invites views on the Government's proposals to allow local Authorities to set up their own planning fees to the cover the cost of determining planning applications.. The expiry date of the consultation exercise is the 7<sup>th</sup> January 2011.

### **2. RECOMMENDATIONS**

2.1 That the response to the consultation document be agreed by Members and forwarded to the CLG

### **3. BACKGROUND**

3.1 This consultation document proposes to

- Decentralise the setting of planning application fees, so that the responsibility is passed to local planning authorities (LPAs); and
- Widen the scope of planning application fees, so that LPAs can charge for more of their services.

3.2. Under these proposals, Local Planning Authorities would be able to:

- Set their own fees;
- Set higher fees for retrospective applications; and
- Charge for resubmitted applications following withdrawal or refusal.

- 3.3 Local Authorities, however, will not be able to make a profit on fees although they will be able to recover the actual cost of submitting a planning application.
- 3.4 The decision to consult on this issue stems from concerns that Local Authorities are unable to recover the true costs of planning applications because of the fixed fee charging system, which is set by the Government. This has meant that, in a number of cases, taxpayers' council tax bills have risen, as local authorities try to make up any shortfall. If the proposals are taken forward following the consultation, local authorities will be able to set their own fees from April 2011, with a six-month transition period until October 2011. During the transition period, local authorities will be able to use the current fees set by central Government, though these will be withdrawn in October 2011.

#### **4. LEGAL BACKGROUND AND CURRENT PLANNING FRAMEWORK**

- 4.1 The provisions for charging planning application fees are set out in section 303 of the Town and Country Planning Act 1990, as substituted by section 199 of the Planning Act 2008. These provisions:
- allow fees to be charged in relation to any function of a local planning authority and for matters ancillary to those functions
  - allow the Secretary of State to prescribe fees or a means of calculating fees to be set by someone else (such as a local planning authority)
  - allow the Secretary of State to prescribe when a service would be exempt from fees
- 4.2 Section 303 (10) of the Town and Country Planning Act 1990 states that the income from a fee must not exceed the cost of performing the fee-related function (handling, processing and determining planning applications, in this instance). This means that fees cannot be used to make a profit.
- 4.3 It is an established principle that local authorities should pay for activities that are purely or largely for the wider public good. The consultation document makes it clear that the intention of development management is above all to promote the public good: since managing local development helps to secure the long-term benefits of sustainable, well-designed communities. Yet planning decisions often bring private benefit to the applicant as well; in particular, a property with planning permission may be much more valuable than it would be without. The power granted to authorities to charge planning application fees reflects the possible private benefit implicit in a

planning permission. The Government believes that an applicant should expect to pay a fee for an application that could bring a measure of gain. The fee payable reflects the overall cost of handling, administering and deciding the application, including related overheads.

4.4 In February 2009, the previous Government commissioned independent research from Arup<sup>1</sup> to look at whether planning application fees were covering local authority costs, and to identify methods that authorities could use to set their own charges. Arup's report is available on our website. It shows:

- that authorities are recovering around 90 per cent of their costs, on average
- that between April 2006 and March 2010 (with projections used for 2009 -10) the average cost of handling and determining planning applications was £619, and the average fee received was £569
- that around 35 per cent of development management resources are being allocated to dealing with applications which do not currently incur a fee

## **5. CHANGES PROPOSED**

### **5.1 Decentralising Planning Application fees**

5.1.1 The Government believes that wherever possible, decisions should be taken at the local level, by people who are accountable to the public. The Government argues that there is no reason why charges for planning applications should be an exception. The Consultation document states that Local planning authorities should be able to set their own charges to recover their own costs and that applicants should be charged for the full cost of the application where they are paying a fee, rather than being subsidised by the general tax payer. The consultation document therefore propose to decentralise responsibility for planning application fee setting to local planning authorities.

5.1.2 In April 2008, planning application fees were increased by 23 per cent in order to help authorities recover more of their costs. However, as Arup's research has shown, some authorities are still not recouping costs. The government feel that letting local planning authorities set their own fees will enable them to recoup their costs but not exceed them. At the same time, the government feel that setting fees locally provides a stronger incentive for local planning authorities to run a more efficient service: since it will be a more transparent system, directly accountable to local residents. If the proposal is taken forward there will be a six month transition period to give authorities time to develop charges which accurately reflect their costs.

## 5.2 Extending the Scope of Planning Application Fees

5.2.1 Many applications at present, such as those for listed building consent or resubmissions following a refusal or withdrawal are not currently subject to fees. The Government feels that in some instances, applicants are receiving private benefits without having to pay a fee for their application. The government does not feel this is sustainable for authorities and is unfair for the general tax payer, who is subsidising the application. The consultation document proposes to widen the scope of planning application fees so that authorities can charge for more of their services. This, the government feels, would enable authorities to charge for resubmitted applications, and would allow authorities to charge higher fees for retrospective applications

## **6. OPTIONS FORWARDED**

6.1 The consultation paper outlines 2 options for consultation. These are listed below:

### **6.2 Option 1: would decentralise the responsibility for setting fees for planning applications to local planning authorities**

6.2.1 Under this option, it would give local planning authorities control over setting planning application fees. The Government would set out in regulations the principal requirements for local planning authorities (which would include establishing a charging schedule) and exemptions from fees. Local planning authorities would have to establish a charging scheme which reflects full cost recovery and the principle that the user should pay for the actual service they receive. Authorities should keep their costs to a minimum – helped by local democratic accountability – and should ensure that charges are based on efficient services which remain affordable

### **5.3 Option 2: Maintain the current fee system**

## **7. DISCUSSION OF OPTIONS**

7.1 Currently no fee is payable for applications that are resubmitted following withdrawal before determination or refusal (this is known as the “free go”). This was principally because it was considered unfair to charge applicants twice for similar applications, which should theoretically not require as much work to determine as two separate, unrelated applications. In practice, however, a resubmitted application



may be very different from the original application whilst still being entitled to a “free go”. Resubmitted applications, can represent substantial work, and therefore cost, for an authority. A comprehensive “free go” fails to reflect this cost. The Authority welcomes the proposal to allow authorities to make their own decisions about whether or not to allow a “free go”, depending on the local costs they expect to incur for resubmitted applications.

- 7.2 Currently no distinction is made between fees for routine applications and applications which are made retrospectively (after development has begun). Retrospective applications are sometimes made as a result of investigation by a local planning authority enforcement departments. In these instances, they impose a greater cost on authorities than routine applications. The principle behind planning application fees is that they should be set at a level that allows authorities to fully recover the associated costs. The Authority agrees with the Consultation document’s proposal that Local Authorities should be able to charge a higher fee for retrospective applications where the application has come about as a consequence of enforcement investigatory work by the authority, in order to recover all of the related costs. In addition applicants utilise this free go to delay enforcement action as a result of planning refusals, which can be very frustrating to local residents. Setting a planning fee for resubmissions would also allow local authorities to deter repeat applications for development which already exists (retrospective planning applications).
- 7.3 Applications for Listed Buildings, Conservation Area consent and for works to trees that are the subject of a tree preservation order (TPO consent) do not currently incur a fee. The Authority has sympathy with the government’s opinion on the unfairness of charging for such applications as these designations were effectively forced on local land owners.. It is recognised that the designation of Conservation Areas, Article 4 Directives and Tree Preservation Orders were imposed on property owners by the Authority and therefore it would appear unfair to set a planning fee for works on a TPO, or developments which would normally be permitted development for it not for an Article 4 Direction. However designations of listed buildings are not the decision of Local Authorities and whilst they have been predominantly imposed on house owners there has also been an additional burden placed on Local Authorities to determine Listed Building Consent applications. Such LBC applications generate significant work for planning departments and at the very least an administrative charge should be set. It also needs to be recognised that in most cases the designation of listed buildings have actually had the effect of increasing the property’s value to the owner.
- 7.4 Many major schemes involve considerable work and financial commitment to the Authority and whilst the 2008 fee regulation changes increased the planning fee payable it does not meet the overall costs of the determination process. There is an obligation on

Authorities to contract, in many cases, external expert consultants in order to competently evaluate of the numerous technical assessments submitted by the applicant. Local Authorities should be afforded the opportunity to customise fees which are fair taking into account the complexity of the proposal in order to cover all the costs associated with its determination.

## **8. CONCLUSION**

- 8.1 In conclusion the Local Borough of Enfield welcomes option 1 which would afford the Local Authority to set its own planning fees to ensure that they cover the cost of the service rather than be subsidised by the tax payer.



## Consultation response form - Proposals for changes to planning application fees in England

We are seeking your views on the following questions on the Government's proposal for changes to planning application fees in England. **If possible, we would be grateful if you could please respond by email.** Alternatively, we would be happy to receive responses by post.

Email responses to: [julian.wheeler@communities.gsi.gov.uk](mailto:julian.wheeler@communities.gsi.gov.uk)

Written responses to:

Julian Wheeler  
Communities and Local Government  
Zone 1/J1  
Eland House  
Bressenden Place  
London  
SW1E 5DU

### (a) About you

#### (i) Your details

Name:	Aled Richards
Position:	Head of Development Management
Name of organisation (if applicable):	London Borough of Enfield
Address:	Civic Centre, Silver Street, Enfield
Email Address:	Aled.richards@enfield.gov.uk
Telephone number:	02083793857

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<sup>1</sup> CLG (2010) Proposals for changes to planning application fees in England: Consultation document (see: [www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/planningfeesconsultation](http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/planningfeesconsultation))

**(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?**

Organisational response

Personal views

**(iii) Please tick the *one* box which best describes you or your organisation:**

Private developer or house builder

Housing association or RSL

Land owner

Voluntary sector or charitable organisation

Business

Parish council

Local government (i.e. district, borough, county, unitary, etc.)

Regional government

National Park

Other public body (please state)

Other (please state)

**(iv) What is your main area of expertise (please tick as many boxes that apply)?**

Planning

Legal

Housing

Economic or commercial development

Environment

Transport

Other (please state)

**(v) Do your views or experiences mainly relate to a particular geographical location?**

South West

South East

East of England

East Midlands

West Midlands

North West

Yorkshire and The Humber

North East

London

- All of England
- Other (please comment)

**(vi) Would you be happy for us to contact you again in relation to this consultation?**

- Yes
- No

**(b) Consultation questions**

**Question 1:**

- 1. Do you agree that each local planning authority should be able to set its own (non-profit-making) planning application fee charges?**

- Strongly Agree**
- Agree**
- Neither agree nor Disagree**
- Disagree**
- Strongly Disagree**

Explanation/Comment:

The Local Borough of Enfield welcomes option 1 which would afford the Local Authority to set its own planning fees to ensure that they cover the cost of the service rather than be subsidised by the tax payer.

**Question 2:**

- 2. Do you agree that local planning authorities should be allowed to decide whether to charge for applications that are resubmitted following withdrawal or refusal?**

- Strongly Agree**
- Agree**
- Neither agree nor Disagree**
- Disagree**
- Strongly Disagree**

Explanation/Comment:

Resubmitted application may be very different from the original application whilst still being entitled to a "free go". Resubmitted applications, can represent substantial work, and therefore cost, for an authority. A comprehensive "free go" fails to reflect this cost. The Authority welcomes the proposal to allow authorities to make their own decisions about whether or not to allow a "free go", depending on the local costs they expect to incur for resubmitted applications.

**Question 3:**

3. **Do you agree that local planning authorities should be able to set higher fees for retrospective planning applications?**

<b>Strongly Agree</b>	<input checked="" type="checkbox"/>
<b>Agree</b>	<input type="checkbox"/>
<b>Neither agree nor Disagree</b>	<input type="checkbox"/>
<b>Disagree</b>	<input type="checkbox"/>
<b>Strongly Disagree</b>	<input type="checkbox"/>

Explanation/Comment:

Retrospective applications are sometimes made as a result of investigation by a local planning authority enforcement departments. In these instances, they impose a greater cost on authorities than routine applications. The principle behind planning application fees is that they should be set at a level that allows authorities to fully recover the associated costs. The Authority agrees with the Consultation document's proposal that Local Authorities should be able to charge a higher fee for retrospective applications where the application has come about as a consequence of enforcement investigatory work by the authority, in order to recover all of the related costs. In addition applicants utilise this free go to delay enforcement action as a result of planning refusals, which can be very frustrating to local residents. Setting a planning fee for resubmissions would also allow local authorities to deter repeat applications for development which already exists (retrospective planning applications).

**Question 4:**

4. **Are there any development management services which are not currently charged for but should require a fee?**

**Yes**

**No**

Explanation/Comment:

Applications for Listed Buildings, Conservation Area consent and for works to trees that are the subject of a tree preservation order (TPO consent) do not currently incur a fee. The Authority has sympathy with the government's opinion on the unfairness of charging for such applications as these designations were effectively forced on local land owners.. It is recognised that the designation of Conservation Areas, Article 4 Directives and Tree Preservation Orders were imposed on property owners by the Authority and therefore it would appear unfair to set a planning fee for works on a TPO, or developments which would normally be permitted development for it not for an Article 4 Direction. However designations of listed buildings are not the decision of Local Authorities and whilst they have been predominantly imposed on house owners there has also been an additional burden placed on Local Authorities to determine Listed Building Consent applications. Such LBC applications generate significant work for planning departments and at the very least an administrative charge should be set. It also needs to be recognised that in most cases the designation of listed buildings have actually had the effect of increasing the property's value to the owner.

**Question 5:**

5. **Are there any development management services which currently require a fee but should be exempt from charging?**

**Yes**

**No**

Explanation/Comment:

**Question 6:**

- 6. What are the likely effects of any of the changes on you, or the group or business or local authority you represent?**

Comments:

The likely effects would be to enable the Authority to recoup the costs associated with determining planning applications and reduce the financial burden on the Authority which ultimately would not affect the tax burden on local residents.

**Question 7:**

- 7. Do you think there will be unintended consequences to these proposals?**

**Yes**   
**No**

Comments:

Private developers may argue that as the current planning fees are set down it affords them certainty and these can be included within the viability assessments of schemes. Taking away these preset fees to be replaced by each individual Authority setting their own fees, developers might argue will impact their business cases.

Applicants may argue that Local Authorities will seek to refuse applications without negotiation in order to take advantage of the new planning fees any new resubmission may command.

**Question 8:**

- 8. Do you have any comment on the outcomes predicted in the Impact Assessment, in particular the costs and benefits (See Annex B)?**

**Yes**   
**No**

Comments:

It is unclear what underpins the Government's assumption that the majority of local planning authorities will use their decentralised powers to increase fees and that the average increase will be between 10% and 15% above current fee levels.





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